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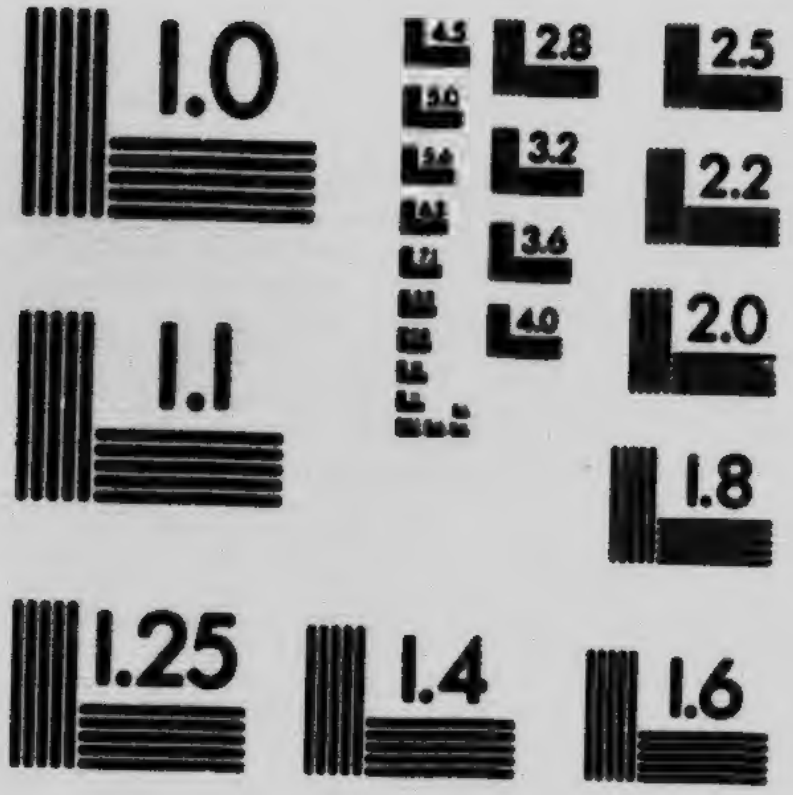

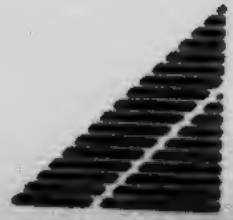

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ACT

OF INCORPORATION

OF THE

CITY OF QUEBEC

—:o:—

COMPILATION OF THE SEVERAL STATUTES CONCERNING THAT ACT AND THE RECORDER'S COURT OF THE CITY OF QUEBEC

BY

J. E. CHAPLEAU, K.C.

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NOTE

As the law concerning the parliamentary elections of this province is now applicable, in as much as compatible, to the election of the members of the City Council, I have considered it advisable to insert in this compilation, at their convenient place, some articles of that provincial law, as also certain provisions of other provincial laws applicable to the City of Quebec.

J. E. C.

ACT OF INCORPORATION

OF THE

CITY OF QUEBEC

—:o:—

CORPORATION.

1. The inhabitants of the city of Quebec form and continue to form a corporation under the name of "The City of Quebec," which is constituted an administrator and as such responsible for the matters entrusted to its administration.

51-52 Vict., ch. 78, art. 1.

GENERAL POWERS.

2. The said corporation has and shall have perpetual succession, and a common seal, with power to break, renew, change and alter the same at pleasure, and may sue and be sued, implead and be impleaded, in all courts of law and equity, and other places, in all manner of actions, causes and matters whatsoever, and may accept, take, purchase and hold goods and chattles, lands and tenements, real and personal movable or immovable estate, and may grant, sell, alienate, demise and convey the same; and may enter into and become a party to contracts; and give and accept any bills, bonds, judgments, or other instruments or securities for the payment or securing the payment of any money borrowed or lent, or for the performance or securing the performance of any duty, matter or thing whatsoever, as hereinafter provided.

29 Vict., ch. 57, art. 2.

BOUNDARIES OF THE CITY.

3. The City of Quebec, for all municipal purposes, shall have the following boundaries:

To the east and south-east, the Harbour Commissioners' line, and if there be any wharves, piers, or other constructions beyond the Harbour Commissioners' line, then to the end of such wharves, piers, or other constructions which adjoin the main land.

56 Vict., ch. 50, art. 1, 1st paragraph.

The limits of the City of Quebec include all the wharves and embankments built in the river St. Lawrence and the estuary of the river St. Charles, joined to or connected with the mainland of the said city, on the demand of the Quebec Harbour Commission and dating from the acceptance of such demand, by the City Council, in whole or in part.

1 George V, ch. 47, art. 6.

N.B.—On request of the Quebec Harbour Commission a resolution was passed by the Council on the 13th of January, 1911.

From and after the first day of May, 1901, the extent of land hereinafter described shall be and remain annexed to the City of Quebec and form part thereof, to wit: the extent of land starting from the Cap-Rouge road, situated in the parish of Notre Dame de Québec, to the line of the Quebec Harbour Commissioners and the lot designated under the No. 227 of the official cadastre for the parish of St. Colomban de Sillery, with the road which bounds it to the south-west, and the boundary of the city shall be changed accordingly.

1 Ed. VII., ch. 42, art. 7, 1st paragraph.

The boundaries of the heretofore village of St. Malo, now St. Malo ward, are described in the law 2 Ed. VII., ch. 57. Those of the heretofore town of Limoilou,

now Limoilou ward, are described in the laws 8 Ed. VII., ch. 98, art. 8 and 9, and 9 Ed. VII., ch. 91, art. 1. Those of the heretofore town of Montcalm, now Belvedere ward, are described in the law 8 Ed. VII., ch. 99, art. 2.

On account of the changes made to the boundaries of the City of Quebec by the statutes—60 Vict., ch. 59, art. 1,—1 Ed. VII., ch. 42, art. 7, 1st paragraph,—8 Ed. VII., ch. 53, art. 1,—4 Geo. V., ch. 72, arts. 12, 13 and 18,—and of the By-Laws No. 419 therein mentioned, concerning the annexation of the heretofore village of St. Malo,—and on account also of the By-Law No. 436 of the City Council of Quebec, concerning the annexation of the heretofore Town of Limoilou,—and on account also of the By-Law No. 449 concerning the annexation of the heretofore town of Montcalm,—it may be said that the City of Quebec has now the following boundaries, to wit:

A line running from the north-east end of the embankment built by the Quebec Harbour Commissioners, in the mouth of the river St Charles, and through the mouth of the said river to the boundary line of this part of lot seven hundred and thirty-seven of the cadastre of Beauport, situated to the south of the public road known as Beauport road with its present width,—thence following the said division line to the Beauport road,—thence the said Beauport road to the division line between the lots of lands designated under the numbers 589 and its subdivisions and 585 of this official cadastre for the parish of St. Roch of Quebec North,—thence the said division line between said lots 589 and 585,—thence, the northern boundary of the lots of land numbers 585, 584, 581, 580, 567, 566, 547, 508, 509, 425, 426 of the said cadastre,—thence, the western boundary of the lots numbers 412, 413, 415, 416, 417, 418, 419, 420, 425 of the said cadastre,—then the St. Michael's stream to its junction with the river St. Charles,—thence the line of

the high water mark on the left bank of the river St. Charles to the bridge known as Scott Bridge,—thence on the right bank of the river, the by-road of Scott Bridge, from the river to St. Valier street,—thence on St. Valier street and its extension as far as the public road commonly known as "Bell's Road",—thence on Bell's Road and its extension in a straight line through the cadastre number 126 of the parish of Ste. Foye as far as the cliff,—thence the top of the cliff running west to the cadastre number 120 of the parish of Ste. Foye,—thence following said boundary line as far as the public road known as "Ste. Foye's Road",—thence in a straight line following the boundary line of cadastre number 127 of the parish of Ste. Foye,—thence, running east, at right angle, and in a straight line as far as the public road known as "Belvedere Road",—thence running south on said road as far as Cap Rouge road,—thence the Cap Rouge road running south-westerly to and including the road of Wolfe's Cove,—thence the parish of St. Colomb of Sillery,—thence, the top of the cape, from the parish of St. Colomb of Sillery to the line formerly dividing the parish of St. Colomb of Sillery from the parish of Notre Dame de Québec,—thence to the south-west, the line of the Quebec Harbour Commissioners, to the north-east end of the Louise Embankment.

But, according to the law 56 Vict., ch. 50, art. 1, 1st and 6th paragraphs, are to be excluded from that territory, the lots and buildings forming the actual precincts of the Hôpital Général de Québec to the outside of the present wall.

And the above indication of the boundaries of the city shall not have the effect of subjecting the lands belonging to the **Hôpital Général de Québec** and to the **Hôtel Dieu du Sacré-Coeur de Jésus,** to municipal taxes and assessments, so long as such lots shall be occupied

by the said communities for the purposes of their intitutions.

By the law 4 Geo. V., ch. 72, art. 12, the lots of land designated under the numbers five hundred and eighty-nine, five hundred and eighty-nine B and five hundred and eighty-nine C of the official cadastre for the parish of St. Roch, of Quebec North, have been declared not to be within limits of the City of Quebec and to form part of the parish of St. Michel Archange.

By the law 4 Geo. V., ch. 72, art. 13, the lots of land designated under the numbers 588B and 588C of the official cadastre for the parish of St. Roch of Quebec North, and this portion of lot No. 737 of the official cadastre for the parish of Beauport, said part situated on the south side of the Beauport road, at its actual width, have been declared to be non-taxable property in future.

By the law 5 Geo. V., ch. 88, art. 18, that portion of lot No. 126 of the cadastre of the parish of Ste. Foye, situate to the east of the prolongation in a straight line of the by-road commonly called "Bell's Road", is annexed to the City of Quebec for all legal purposes.

By the law 4 Geo. V., ch. 72, art. 18, that part of the municipality of Little River situate within the following boundaries: Bounded on the east and on the south by the City of Quebec; on the west by, and not including the road commonly called Bell's Road; and on the north by and including the Little River road which is the continuation of St. Valier street, as far as its intersection with the said Bell's road; is annexed to the City of Quebec for all purposes whatsoever.

By art. 19 of the above mentioned law, during the seven years from the 1st of May, 1914, to the 30th of April, 1921, the buildings at present existing in the part of Little River annexed to the city by this act, must not be valued at a rate higher than that at present in force.

BOUNDARIES OF THE WARDS.

4. The city is divided into twelve wards, namely:— St. Louis, Palace St. Peter, Champlain, St. Roch, Jacques-Cartier, St. John, Montcalm, St. Valier, St. Sauveur, St. Malo, Limoilou wards, and such wards have the following boundaries:

St. Louis ward comprises that portion of the Upper Town situated within the walls, which lies to the south of a line drawn from Mountain Hill to St. John's Gate through the middle of Buade, Fabrique and St. John streets.

Palace ward comprises that portion of the Upper Town within the walls which is not comprised in St. Louis ward.

St. Peter's ward comprises that portion of the Lower Town which is bounded to the south by a line drawn in the centre of Sous-le-Fort street and prolonged in the same direction on one side to the south-eastern limit of the city and on the other side to the cliff under Dufferin Terrace, on the west by a line drawn in the middle of St. Roch's street, from the foot of the cliff to the river St. Charles and on the north by the (bed of the river St. Charles).

Champlain ward comprises that part of the city bounded on the north-west by Montcalm and St. Louis wards, to the east, by St. Peter's ward, to the south and west by the southern and western limits of the city.

St. Roch's ward comprises that part of the city bounded to the south by a line drawn in the centre of St. Joseph street, on the west by a line drawn in the centre of the Boulevard Langelier, to the north by (the bed of the river St. Charles), and to the east by a line drawn in the centre of St. Roch's street, from the middle of St. Joseph street, to the river St. Charles.

56 Vict., ch. 50, art. 2, six first paragraphs, with the modifications resulting of the annexation of the town of Limoilou and of the village of St Malo.

Jacques-Cartier ward is bounded to the north by St. Roch's ward, to the west by a line drawn in the centre of the Boulevard Langelier, to the south by St. John's and to the south by St. John's and to the east by St. Peter's ward.

59 Vict., ch. 47, art. 1.

St. John's ward comprises all that space which is bounded by Jacques-Cartier ward, the walls of the town, the limits of the city, to the west, and a line drawn in the centre of St. John street, from St. John's Gate to the western limits of the city.

Montcalm ward comprises the territory which is bounded to the east by the walls of the city, to the west by the limits of the city, to the north by St. John's ward, and to the south by the top of the cliff on the river St. Lawrence.

St. Sauveur ward is bounded to the east by Jacques-Cartier ward, to the north by St. Valier street, from the Boulevard Langelier to Massue street, on the north-west by Massue street, on the south-west and south-east by (St. Malo ward).

St. Valier ward is bounded to the east by St. Roch's ward, to the south-east and south by St. Sauveur ward, to the south-west by St. Malo ward, and to the north by the bed of the river St. Charles.

56. Vict., ch. 50, art. 2, four last parag., with the modifications resulting of the annexation of the town of Limoilou and of the village of St. Malo.

St. Malo ward is bounded to the east by St. Sauveur and St. Valier wards, to the north by the bed of the river St. Charles, to the south-west by the by-road of the Scott bridge and Bell's Road", to the south by the top of the Coteau St. Genevieve.

2 Ed. VII., ch. 57, art. 3.

Limoilou ward comprises the extent of land described in the preceding article 3, as being situate on the left bank of the river St. Charles.

Belvedere ward comprises the extent of land annexed by By-Law No. 449, that is to say the territory of the ex-Town of Montcalm.

5. Limoilou ward may, by a By-Law of the Council, be divided into two wards, but each of the two wards shall be represented by only one alderman in the Council.

5 Geo. V., ch. 88, art. 14.

6. Notwithstanding any law or By-Law to the contrary, the City Council shall, from the 1st of March, 1918, consist of the mayor and twelve aldermen, two per ward, who shall remain in office for two years until the election of their successors in office.

For the purpose of the general elections in 1918 and subsequent elections, the city shall be divided into six wards, namely: Ward No. 1, comprising the present territory of St. Louis, Palace, Champlain and St. Peter wards;

Ward No. 2, comprising the present territory of St. John and Montcalm wards, as far as the middle of De Salaberry street and as far as a straight line extended from the middle of De Salaberry street to the brow of the hill; (cime du cap);

Ward No. 3, comprising the present territory of Belvedere ward and that part of St. John and Montcalm wards to the west of the middle of De Salaberry street, and of a line extended from the middle of De Salaberry street to the brow of the hill (cime du cap);

Ward No. 4, comprising the present territory of St. Roch and Jacques-Cartier wards;

Ward No. 5, comprising the present territory of St. Malo, St. Sauveur and St. Valier wards;

Ward No. 6, comprising the present territory of Limoilou ward.

The Council shall, by By-Law, passed before the

1st of September, 1917, give an individual name to each such ward.

7 Geo. V., ch. 59, art. 12.

7. The assessment roll and the voter's list for the financial year, 1917-18, shall be prepared in accordance with such new boundaries.

7 Geo. V., ch. 59, art. 13.

EXTENSION OF THE CITY LIMITS.

8. "The Municipal Council of the City of Quebec shall have power to pass a By-Law for the purpose of annexing any municipality or part of a municipality adjacent to the city. Provided that the lands and buildings belonging to the Quebec General Hospital and not at present comprised within the city limits, shall not be annexed, either wholly or partly, without the consent of the Council of administration of the said community, and that they shall, in the event of such annexation, enjoy the exemption from taxation granted the said community by the act 56 Victoria, chapter 50, section 1."

4 Geo. V., ch. 72, art. 9, replacing 51-52 Vict., ch. 78, art. 68.

9. In the event of the annexation of a portion of a municipality, it shall be necessary to have the consent of the majority of the property-owners residing in such portion, and of the Council of the municipality from which said portion is to be detached; such consent must be expressed by a By-law.

4 Geo. V., ch. 72, art. 10.

10. Such By-Law shall contain a full description of the territory to be annexed, set forth the terms and conditions of the annexation and specify whether the territory so annexed shall constitute a new ward, or wheth-

er it shall be annexed wholly or partially, to one or more wards of the city.

In imposing the assessments and taxes for the territory to be annexed, the city may make a distinction between properties held for agricultural or horticultural purposes, and urban property; it is also empowered, for annexation purposes, to grant the rate-payers of such territory, for a period not exceeding ten years, different rates for assessments, taxes or licenses of any kind, on the terms and conditions of the aforesaid By-Law.

The By-Law passed by the Council of the City of Quebec, on the ninth of November, one thousand nine hundred and seven, respecting the annexation of the municipality of the village of St. Malo, is declared to be within the powers of the City of Quebec.

8 Ed. VII., ch. 83, art. 1.

11. The territory so annexed shall form one or more new wards, or shall form part of one or more of the wards of the City of Quebec, the number whereof shall be increased or diminished, or the limits whereof may be changed, as the Council of the City of Quebec. may decide, and which it shall have power to do.

Such new ward or wards so formed shall be known by the name or names selected by the Council of the city, and may be represented in the Council by a number of aldermen and councillors determined by the Council, who if possessing the qualifications required by the charter of the city or the acts amending the same, shall be elected in the manner prescribed by such charter or the acts amending the same by the municipal electors of the territory so annexed, having the qualifications required by the charter of the said city, a list of whom shall have been previously prepared with due diligence by the Secretary-Treasurer of the municipal-

ity to be annexed, who shall forward such list to the clerk of the City of Quebec.

51-52 Vict., ch. 78, art. 70.

12. Every By-Law passed by the Council of the City of Quebec to annex, upon the conditions therein mentioned, the territory of a municipality adjacent to the city, shall in order to have force and effect, and under pain of nullity, be duly approved by a vote of the majority of the municipal electors, who are proprietors in the territory to be annexed, who have registered their votes upon such By-law.

51-52 Vict., ch. 78, art. 71.

13. After the above-mentioned final approval by the electors of the territory so to be annexed, and within the thirty days following the forwarding of the list of electors by the said Secretary-Treasurer to the clerk of the city, as above mentioned, it shall be the duty of the Council of the City of Quebec to proceed to the election of aldermen and councillors to represent the new ward or wards in the Council of the said city, which aldermen and councillors shall remain in office until the expiration of the term of office then commenced for the aldermen and councillors of Quebec, or as shall be provided by any By-Law to that effect.

51-52 Vict., ch. 78, art. 72.

14. When these formalities shall have been complied with, the new ward or wards shall be incorporated with the City of Quebec, and shall be subject to all its existing or future By-Laws, and shall enjoy all the rights, privileges and immunities conferred upon the city by its charter and the acts which amend the same, and shall be subject to all duties and obligations provided for in the said charter and its amendments; but none of the provisions of this act shall have the effect

of modifying or amending the charter of the city of Quebec except in so far as what is mentioned in this act respecting the annexation of such territory.

51-52 Vict., ch. 78, art. 73.

15. From the date of the sanctioning of this act, the extent of territory hereinafter described, bordering on the city, and acquired by it from one Frederic Canac dit Marquis, under deed of sale passed before Jos. Savard, notary, on the 23rd August, 1907, and registered the 24th day of August, 1907, shall be and remain annexed to the City of Quebec, and shall form part thereof, to wit: a lot of land of irregular shape in the parish of St-Malo, forming part of the undivided portion of lot number two thousand three hundred and forty-two (2342) on the official plan and book of reference of the cadastre of the parish of St-Sauveur, the said lot being bounded as follows: to the north by the river St. Charles; to the south partly by the line of the Canadian Pacific Railway or their representatives, and partly by the land belonging to the Imperial Oil Company or their representatives; to the east by the land of the Reverend Sisters of the Ursulines of Quebec or their representatives; to the west partly by the said Imperial Oil Company or their representatives, and partly by the road leading to the aqueduct bridge; and the limits of the city are accordingly changed.

8 Ed. VII., ch. 83, art. 9.

CITY COUNCIL.

Its Composition.

16. Notwithstanding any law or By-Law to the contrary, the City Council shall, from the 1st of March, 1918,, onsist of the mayor and twelve aldermen, two

per ward, who shall remain in office for two years until the election of their successors in office.

7 Geo. V., ch. 59, art. 12.

17. The mayor shall be elected for two years, by the majority of the municipal electors entitled to vote.

7 Ed. VII., ch. 62, art. 5.

18. The mayor shall receive out of the funds of the city the sum of $3,000.00 annually.

8 Ed. VII., ch. 83, art. 10.

19. At its first meeting in the months of March, June, September and December, in each year, the City Council shall elect one of the aldermen (or one of the councillors) of the said Council to perform the duties of pro-mayor during the following three months, and the member so elected shall have and exercise all the powers, authority, and privileges, vested in the mayor, when the mayor is unable to exercise them through absence from the city, illness or other cause.

53 Vict., ch. 68, art. 1.

In case, through any cause whatever, the said pro-mayor was not elected at such first meeting of the said months, he may be elected at a subsequent meeting.

55-56 Vict., ch. 50, art. 12.

QUALIFICATIONS OF THE MAYOR AND OF THE MEMBERS OF THE COUNCIL.

20. To be eligible as mayor or alderman, or qualified to fill such office, a person must be a British subject either by birth or naturalization, have resided and been a householder within the limits of the city during the year immediately preceding the election, be a duly qualified elector of the said city, know how to read print and writing fluently and also to write fluently, and more-

over, in the case of the aldermen for the seat designated, under the number one, he must, at the time of the election and during the entire continuance of his said office, possess for his own use and benefit, within the limits of the said city, immoveable property of the value of at least two thousand dollars, over and above all rents, charges, debts and hypothecs due or payable upon such immoveables, and in the case of the aldermen for the seat designated by the number two, the value of the said immoveable shall be at least one thousand dollars, and for the mayor five thousand dollars also over and above all charges and hypothecs.

1 Geo. V., (2nd session), ch. 59, art. 28.

21. No person shall act as mayor or alderman before having deposited with the clerk of the city the certificate of the recorder or of the clerk of the recorder's court of the city, establishing that such person has taken before him the oath of office, qualification, and allegiance, mentioned in schedule A of this Act. And if such certificate is not deposited within two months after the date of his election, the seat of such mayor or alderman shall become vacant.

59 Vict., ch. 47, art. 27.

N.B.—The law 1 George V., (2nd session), ch. 59, art. 29, has substituted another formula of oath, which is schedule A of the present compilation.

22. Should a vacancy arise in the office of mayor, the city clerk shall, within the eight days next following such vacancy, call a meeting of the Council for the purpose of electing one of its members to perform the duties of the mayor during the remainder of his term of office, and the Council, at such meeting, shall elect such mayor; the acceptance of the office of mayor by a member of the Council shall have the effect of renderin-

his seat vacant, and in such case proceedings shall be had for a new election to fill such vacancy.

7 Ed. VII., ch. 62, art. 8.

23. The following persons shall not be elected mayor, aldermen (or councillors): persons in holy orders, the ministers or preachers of religious sects, dissenters or congregations, judges, clerks of courts, persons accountable for the funds of the said city, person in receipt of salaries, emoluments, fees or wages fro the said city for their services, the officers and em ployees of the corporation, poll-clerks, persons convicte of treason or felony, before a court of justice in any of Her Majesty's possessions, the contractors for the works of the said city or of the water-works and their sureties, and generally all parties interested in any manner whatsoever in any contract or bargain with the corporation.

29-30 Vict., ch. 57, art. 1, parag. 4.

24. Any person duly elected to the office of mayor who refuses to accept the same, shall pay a fine of four hundred dollars; and if the mayor absent himself from the city during more than three consecutive calendar months (except in case of sickness or on public business), he shall in such case cease to hold office as mayor, and shall be liable to the penalty appointed for refusal to accept such office.

29 Vict., ch. 57, art. 8, parag. 3.

25. The mayor shall be **ex-officio** a justice of the peace for the city and district of Quebec.

29 Vict., ch. 57, art. 8, parag. 4.

26. Any person who neglects or refuses to accept the office of alderman (or councillor) after having been duly elected thereto; and any alderman (or councillor)

who neglects or refuses to discharge his duty as such, or absents himself from the city, during more than six consecutive calendar months, except in the case of sickness, or on business of the said corporation, shall incur a penalty of two hundred dollars, and the seat of such alderman (or councillor) shall thereby become vacant.

29 Vict., ch. 57, art. 8, parag. 6.

27. Every alderman (and councillor) shall within forty-eight hours, after he shall have been notified of his election, give notice in writing, to the city clerk, of his acceptance of the office.

29 Vict., ch. 5, art. 8, parag. 7.

28. Every alderman (or councillor) elected for more than one ward of the city, shall, within three days after he has received notice thereof, make his choice, in writing, to the city clerk, and on his default, the mayor shall declare for which one of the said wards such person shall serve.

29 Vict., ch. 57, art. 8, parag. 8.

29. Any person elected to the office of alderman (or councillor) who fails to give the city clerk the prescribed notice, shall incur a penalty of two hundred dollars, and a new election shall be held to fill any vacancy occasioned by such double election, or by the non-acceptance or failure on the part of the member elected to discharge the duties of his office as such.

29 Vict., ch. 57, art. 8, parag. 9.

30. Every alderman and councillor shall be **ex-officio** a justice of the peace for the city of Quebec.

29 Vict., ch. 57, art. 8, parag. 10.

31. The mayor and members of the City Council shall be exempt from jury service.

3 Geo. V., ch. 53, art. 16.

32. After being six months in office, the mayor or any alderman may resign such office, by forwarding to the city clerk a declaration to that effect, signed by him in the presence of a witness ,and after such declaration has been communicated to the City Council, the seat of the person resigning shall become vacant.

7 Ed. VII., ch. 62, art. 9.

DISQUALIFICATIONS.

33. If the mayor or any alderman (or councillor) shall be declared insolvent, or shall apply to take the benefit of any act for the relief of insolvent debtors, or compound with his creditors, or being mayor shall be absent from the city for more than three calendar months, or being an alderman (or councillor), for more than six calendar months, at one and the same time, except on account of illness or public business; or if the mayor or any alderman (or councillor) shall have a share in any contract or agreement with the said corporation, either directly or indirectly, or shall be the surety of any contractor with the said corporation, or derive any emolument or advantage, either directly or indirectly, from any such contract with the said corporation, the office of mayor and of such alderman (or councillor) shall thereby become vacant; and in case of there being any such contract or surety, the mayor, alderman (or councillor) concerned therein shall be liable to a fine of one hundred dollars, to be recovered before the Recorder's Court of the City of Quebec, for each and every day that such mayor, alderman (or councillor) shall thus illegally hold office as such mayor, alderman (or councillor).

29 Vict., ch. 57, art. 9.

EXEMPTIONS.

34. The persons hereinafter mentioned shall be exempted from serving in any municipal office, to wit:

All persons above the age of sixty-five years who shall claim exemption within five days after having received official notice of their election;

All persons disabled by lunacy or imbecility of mind;

All military, naval or marine officers in His Majesty's service on full pay, members of the provincial legislature, the judges of any court of law residing in the said city, the adjutant-general and deputy-adjutant-general of militia, officers of the customs, sheriffs and coroners, schoolmasters, the clerks and commissioned officers of the legislature and of the executive council, and the postmaster and his deputies.

29 Vict., ch. 57, art. 10.

QUALIFICATIONS OF ELECTORS.

35. The city clerk shall keep a list of the seats of the aldermen for each ward; one of such seats shall be designated by the number one and the other by the number two.

1 Geo. V., (2nd session), ch. 59, art. 30.

36. To be entitled to vote at an election of alderman, a person must be at least twenty-one years of age, be a subject of His Majesty, and be inscribed on the list of electors for the ward in which he wishes to vote.

58 Vict., ch. 49, art. 2.

37. Every proprietor or co-proprietor of an immoveable or part of an immoveable in the City of Quebec, of the assessed annual value of twenty-five dollars or over, is entitled to vote at the election of aldermen.

58 Vict., ch. 49, art. 4.

38. Every tenant of an immoveable or part of an immoveable in the City of Quebec, for which he pays an annual rent of at least thirty-six dollars over and above the municipal taxes and assessments repayable to the proprietor, is entitled to vote at the election of aldermen whose seats are designated by the number two, if he has, before six o'clock in the afternoon of the 1st of December previous, paid to the City Treasurer all the taxes for which he is personally responsible to the said corporation.

If the first day of December is a non-juridical day, the delay mentioned hereinabove shall only extend to six o'clock in the afternoon of the next juridical day."

1 Geo. V., (2nd session), ch. 59, art. 31.

39. Companies or joint stock corporations may, upon payment of their taxes, be inscribed on the list of municipal electors, and vote for the election of aldermen Nos. 1 and 2 according as they may be proprietors or tenants, through a representative duly authorized for the purpose by a resolution of their board of directors, a copy of which resolution shall be produced at the office of the city assessors on or before the first day of December of each year, and they may exercise this right in any ward where assessments or taxes are composed upon them provided such representative be, at the time of voting a director or employee of the company or corporation.

2 Geo. V., ch. 55, art. 32.

40. No person or permanent employee of the city who has received any money promissory note or promise of reward for his vote, may vote for the election of an alderman.

5 Geo. V., ch. 88, art. 13.

LIST OF ELECTORS.

41. Between the 15th and the 30th days of December of each year, the assessors shall prepare for each ward, according to the assessment books for the current year, two alphabetical lists, to wit:

A list containing the names of all those who, according to the said books, appear to have the right to vote in such ward for the aldermen whose seats are designated by the number two, and,

Another list containing the names of all those who, according to the said books, appear to have the right to vote for the alderman whose seats are designated by the number one."

1 Geo. V., (2nd session), ch. 59, art. 32.

42. In making out the electoral lists, the assessors shall enter therein only the names of such tenants and occupants not being proprietors, as have paid to the city all their municipal assessments and taxes, or dues whatsoever, before six o'clock in the afternoon of the first of December then instant, and the names of the proprietors of immoveables who, before the said first of December then instant, have paid to the city all their municipal assessments, taxes and dues whatsoever payable on the thirtieth April previous.

7 Ed. VII., ch. 62, art. 12.

43. On the second of the month of January following, the assessors shall certify each of such lists and hand them to the City Clerk, in whose office they shall remain deposited until the twelfth day of the same month, from nine o'clock in the morning to four o'clock in the afternoon.

53 Vict., ch. 68, art. 31, parag. 5.

44. Before the second of January, the said clerk gives public notice of the deposit of such lists, informing the public by the notice that such lists shall, during the said period, be shown to any person making application therefor; and every elector who may wish to apply for the insertion of a name in any of the said lists, or the striking of a name therefrom, shall do so within the delay fixed by law for so doing.

53 Vict., ch. 68, art. 31, parag. 6.

BOARD OF REVISORS AND REVISION OF LISTS.

45. The mayor of the City of Quebec, the recorder of the said city, and the chairman of the committee on By-Laws of the Council of the said city, shall form a board of revisors to revise the said lists of electors, and the mayor shall preside at the meetings of the said board.

55-56 Vict., ch. 50, art. 7.

46. In case of the absence, for any cause whatever, of the chairman of the board, the members of the said board then present as aforesaid, may chose one of themselves to preside at the meeting in the absence of the chairman, and the member so chosen will be vested with all the rights conferred by this act on the ordinary chairman of the board.

29 Vict., ch. 57, art. 11, parag. 4.

47. Two of the members present at any meeting of the board may exercise all the powers and attributes conferred on the board by this or any other act.

29 Vict., ch. 57, art. 11, parag. 5.

48. Before entering on their duties, the members of the said board shall make oath before a justice of the peace for the District of Quebec, impartially to dis-

charge the duties of their office, and an entry of the said oath of office having been taken shall be made in the minutes of the meeting of the said board; but each member shall take the said oath of office once only during the time he will act as member of the said board.

29 Vict., ch. 57, art. 11, parag. 6.

49. The board of revisors for revising the electoral lists shall commence to sit on the seventeenth of January in every year, at the City Hall, in the Council room, at the hour specified in the public notice given by the clerk.

If the seventeenth of January be a non-juridical day, the first of such sittings shall be on the following juridical day.

53 Vict., ch. 68, art. 31, parag. 7.

50. If by some unforeseen cause or accident a sufficient number of the members of the said board are unable to be present on any one of the days fixed by this act, the said board may adjourn to the following day, and notice of the adjournment shall be given to each member of the said board.

29 Vict., ch. 57, art. 11, parag. 8.

51. No application for the insertion of a name such lists or the striking of a name therefrom, is recei at the city clerk's office after four o'clock in the afte noon of the sixteenth day of January.

53 Vict., ch. 68, art. 31, parag. 8.

52. Every such application shall state the reasons upon which it is founded, and if it be for the purpose of striking a name, it shall be served upon the person whose name is sought to be struck, at least two clear days before the seventeenth of January.

Such service is effect nd proved by a bailiff of

the Superior Court in the same manner as the service of summons in civil matters.

53 Vict., ch. 68, art. 31, parag. 9, Nos. 1 and 2.

53. If the person in question does not reside within the limits of the city, the notice is deposited in the post office of the City of Quebec, in a stamped and registered envelope, addressed to such person and posted at least three days before the seventeenth of January.

53 Vict., ch. 68, art. 31, parag. 9, No. 3.

54. At least four days before the seventeenth of January, the clerk shall give notice in a French and in an English newspaper, published in the city, of the day, hour and place at which the board shall proceed to the revision of such lists, and determining the order in which such revision shall be made.

53 Vict., ch. 68, art. 31, paragi 10.

55. All persons having an interest in such addition to or erasure from such lists may be heard personally or by attorney at law or an agent, but the latter shall require a written authorization. They may produce witnesses who will be sworn by the clerk and their names entered in the minutes of the proceedings.

34 Vict., ch. 35, art. 9.

56. The board of revisors shall be invested with all the powers, authority and jurisdiction of the recorder's court of the said city, for compelling the summoning and appearance of witnesses, as well as their answering all legal questions put to them, and the maintenance of order during the time the board of revisors shall sit.

34 Vict., chap. 35, art. 10.

57. After hearing the evidence adduced by either of the parties, the board of revisors will maintain or re-

ject, to the best of its judgment, the applications so made before it, and will order, as the case may be, the addition or erasure sought for.

34 Vict., ch. 35, art. 11.

58. The city clerk shall be the clerk of the said board of revisors. He shall keep the minutes of the proceedings and shall sign them, as well as all subpoenas, orders and decisions made, given and pronounced by the said board.

34 Vict., ch. 35, art. 12.

59. The revision of the said lists shall be concluded on or before the twentieth of January in every year.

53 Vict., ch. 68, art. 31, parag. 11, No. 1.

60. After such revision, they shall be signed by the mayor and the clerk of the board, and sealed with the seal of the corporation.

53 Vict., ch. 68, art. 31, parag. 11, No. 2.

61. All applications for inserting and striking names in and from such lists, which are not decided and determined on the twentieth of January, shall, from that date, be deemed never to have been made.

53 Vict., ch. 68, art. 31, parag. 11, No. 3.

62. As soon as the lists of voters shall be revised, corrected, signed and sealed in conformity with the said act, they shall be again placed in the City Hall, under the care of the city clerk, to remain in the archives in the office of the said city clerk, who shall forthwith supply certified copies of the said lists, or of any of them, at the rate of ten cents per hundred words, for such copy or copies, when requested to supply one by any duly qualified voter.

33 Vict., ch. 46, art. 10, parag. 1.

63. If any member of the board of revisors appointed as such by or in virtue of this act, shall neglect or refuse to perform any of the duties required of him by this act, he shall incur a penalty of eight hundred dollars.

29 Vict., ch. 57, art. 11, parag. 20.

64. The city clerk shall be liable to a penalty of fifty dollars, and in default of payment of the same and of costs, to imprisonment of not more than one month for each time that he shall refuse or neglect to fulfil any one of the duties imposed upon him by the present act.

33 Vict., ch. 46, art. 9, parag. 1. **(Applicable to revision of lists only).**

65. Every assessor shall incur a penalty of fifty dollars, and in default of payment of the sum and of costs, imprisonment for not more than one month each time that he shall refuse or neglect to fulfil any of the duties imposed on him by the present act. The penalties in the two preceding cases may be recovered before any justice of the peace.

33 Vict., ch. 46, art. 9, parag. 2. **(Applicable to revision of lists only).**

ELECTIONS.

66. On the second Monday of February of every second year, commencing in 1908, or on the first day following, if such second Monday be a non-juridical day, the nomination of candidates for the office of mayor and alderman shall take place at the office of the city clerk, in the City Hall, between the hours of noon and four in the afternoon.

7 Ed. VII., ch. 62, art. 13.

67. The nomination of the candidates shall be by

means of a written requisition, signed by six or more qualified electors, and deposited in the office of the clerk, on the second Monday in February.

62 Vict., ch. 57, art. 2, 1st parag.

68. Such requisition shall specify, by the number of the seat, for which particular seat the candidate is nominated.

62 Vict., ch. 57, art. 2, parag. 13a.

69. Such requisition shall further contain a written consent to the said nomination, which consent shall be signed by the candidate, or in his absence, by a person who declares that his is thereto authorized by him.

62 Vict., ch. 57, art. 2, parag. 13b.

70. Such requisition shall also be accompanied by a solemn declaration, made by the candidate or by another person, attesting that the candidate is the proprietor of the immoveable or immoveables to be described in the solemn declaration, and that the said immoveable or immoveables are worth the sum of at least five thousand dollars in the case of the qualification of the mayor, and of two thousand dollars in the case of the aldermen for the seats designated by the number one, and of at least one thousand dollars in the case of the qualification of the aldermen for the seat designated by the number two; such value, in all the above cases, to be over and above the rents, hypothecs or charges upon the said immoveable or immoveables."

1 Geo. V., (2nd session), ch. 59, art. 33.

71. Such requisition shall also be accompanied by a certificate from the City Treasurer establishing that the candidate is not indebted to the said city for assess-

ments, taxes, or any dues whatsoever, or for any other reason, to the thirtieth April previous.

7 Ed. VII., ch. 62, art. 15.

72. If only one candidate be nominated for one seat, he shall de facto be elected, and it shall be the duty of the city clerk to at once proclaim him elected, by a notice inserted in a French and in an English newspaper published in the city.

62 Vict., ch. 57, art. 2, parag. 13e.

73. If there be more than one candidate for the said office, the voting shall take place on the third Monday of the month of February, between nine o'clock in the morning and five o'clock in the afternoon.

51-52 Vict., ch. 78, art. 14, 1st parag.

74. It shall be the duty of the clerk to publish the names of the candidates nominated for the office of mayor, as well as the names of the candidates for the office of aldermen for each ward, by a notice which shall be posted up on the door of his office in the City Hall and published in a French and in an English newspaper in the city from the nomination day to the polling day.

7 Ed. VII., ch. 62, art. 16.

75. When a poll is held in connection with the election of a mayor or alderman, or at a general or special election, the polling districts shall as far as possible be the same as those for voting at parliamentary elections.

7 Ed. VII., ch. 62, art. 17.

76. In every ward there shall be a poll hou.. for a number not exceeding one hundred and fifty electors qualified to vote for mayor and for aldermen; a person who is qualified to vote for the aldermen for the three

seats at one time, shall, however, only count as one elector. Every elector shall have the right to vote once for the election of the mayor.

7 Ed. VII., ch. 62, art. 18.

77. The poll houses shall be established by the mayor, and the city clerk shall publish the list and description thereof at least two clear days before the polling day, in a French and in an English newspaper of the city.

51-52 Vict., ch. 78, art. 17, 2nd parag.

78. "The city clerk shall prepare poll books for each poll, in accordance with form L annexed to the charter of the city; and, as the case may be, there shall be one of such poll-books for the polling for the election of mayor, another for the election of the aldermen whose seats are designated by the number one, and another for the polling for the election of the aldermen whose seats are designated by the number two."

1 Geo. V (2nd session), ch. 59, art. 34.

79. "The city clerk shall prepare partial lists of the electors who are to vote at each poll, comprising the list of electors qualified to vote only for the aldermen whose seats are designated by the number one, and, separately, the list of electors qualified to vote for the aldermen whose seats are designated by the number two; and an elector shall vote only at the poll in each ward in which his name is entered on the partial list for voting at such poll."

1 Geo. V (2nd session), ch. 59, art. 35.

80. The voters lists shall be made as far as possible in such manner that the voters of a polling district may vote at the poll of such district.

7 Ed. VII, ch. 62, art. 20.

81. Any candidate, who has been nominated, may withdraw at any time before the close of the poll, by depositing, at the office of the city clerk, a written declaration to that effect, signed by himself, in the presence of two witnesses, who shall also sign the same; and, in such case, the clerk shall give public notice of such withdrawal, and the election shall then be proceeded with as if such candidate had not been nominated.

58 Vict., ch. 49, art. 14.

82. The mayor of the city shall, by a written document under his hand, which shall remain deposited in the office of the city clerk and form part of the records of such office, appoint a person to preside at the voting in each poll; and in the event of the absence, illness, refusal or inability to act of such person, then the person who shall have been appointed poll-clerk for such poll shall preside at the voting with all the powers of the person whom he replaces.

51-52 Vict., ch. 78, art. 20.

83. The officer presiding at the poll shall make oath before the recorder, the mayor or pro-mayor of the city, to faithfully and impartially perform the duties of his office.

53 Vict., ch. 68, art. 32.

84. The officer presiding at each poll shall, by a written document signed by him and which, after the counting of the votes as hereinafter set forth, shall be placed in the ballot box with the other documents, appoint a person to act as clerk at each such poll ;and such clerk shall take the oath contained in schedule B to the act 33 Victoria, chapter 46, before such presiding officer. (Schedule C of the present compilation).

51-52 Vict., ch. 78, art. 22.

85. The city clerk shall, on the day previous to the voting at the latest, deliver to each officer presiding at a poll a ballot box in which the voters' ballot papers shall be deposited.

Such box shall be made of metal and be provided with a lock and key and have a narrow slit or opening on top so arranged that the ballot papers may be put in and cannot be taken out without opening the box.

51-52 Vict., ch. 78, art. 23.

86. The city clerk shall also deliver to each officer presiding at a poll, the lists of electors to be used at such poll and shall also deliver him, as occasion may require in each case respectively, and for each ward, two hundred and fifty ballot papers for the election of mayor, two hundred and fifty for the election of the aldermen whose seats are designated by the number one, and two hundred and fifty for the election of the aldermen whose seats are designated by the number two, together with a lead pencil for marking the ballot papers.

1 Geo. V (2nd session), ch. 59, art. 36.

87. The ballot paper for each elector shall be a printed paper with an annex, made according to form D annexed to the city charter for the voting for the election of mayor; according to form M, for the election of the aldermen whose seats are designated by the number one; and according to form N for the election of the aldermen, whose seats are designated by the number two, each ballot paper showing the names of the candidates and their occupations.

1 Geo. V (2nd session), ch. 59, art. 37.

88. The voting-room shall be so arranged that the voter can mark his ballot paper in private and unseen by the persons present in the poll.

51-52 Vict., ch. 78, art. 26.

89. Every candidate shall have the right to be present during the hours of voting at a poll in the ward for which he is a candidate; but he may also be represented thereat by a person holding a power of attorney signed by him.

90. During the hours of voting, no one shall be allowed to remain in the poll except the presiding officer and clerk of such poll and the candidates or their agents.

51-52—Vict., ch. 78, art. 27.

91. One of the agents of each candidate, and, in the absence of such agent, one of the electors representing each candidate, if there is such elector, on being admitted to the polling station, shall take an oath in the form S **(schedule G of the present compilation)**, to keep secret the names of the candidates for whom any of the voters has marked his ballot-papers in his presence, as hereinafter required. (Case of art. 102 hereafter).

R. S. P. Q., art. 331.

92. At the hour fixed for the opening of the poll, the presiding officer and poll clerk, in presence of the candidates and their agents, shall open the ballot box, and ascertain that there are no papers of any kind in it.

The box shall then be at once locked, and the key shall remain in the possession of the officer presiding at the poll.

51-52 Vict., ch. 78, art. 28.

93. Each elector, being admitted, one at a time, into the poll, shall state his names and occupation, which shall be entered by the poll clerk in the poll-book for the election of the mayor or in the book-poll for the election of the aldermen respectively, as the case may be, and according as he is qualified to vote for one or the other.

7 Ed. VII., ch. 62, art. 23.

94. If such name be entered on the list of electors for the voting subdivision at such poll, the voter shall be given a ballot paper, as the case may be, on the back whereof the presiding officer shall have previously placed his initials, and upon the annex a number corresponding to that opposite the name of the voter on the poll-book, the ballot-papers being given and returned in succession, first for voting for the mayor, and afterwards for the aldermen whose seats are designated by the numbers one and two.

7 Ed. VII., ch. 62, art. 24.

95. Each elector may vote at the election of an alderman for each ward in which his name is legally inserted, in the special list of voters for such ward. But for the election of mayor, if such elector has a right to vote in several wards, he can only vote in that in which he resides; and if he does not reside in the city, he can vote only in the ward or in one of the wards for which his name is entered on the voters' list.

7 Ed. VII., ch. 62, art. 25.

96. Every person whose name appears on the list of electors shall be qualified to vote at the election of the mayor at the place indicated in the foregoing section, and at the election of the aldermen in the ward for which such list is made, without any other oath being required of him beyond that set forth in schedule S **(schedule H of the present compilation)** to this act, which oath shall be administered by the person presiding at the voting at the poll where such elector has to vote.

7 Ed. VII., ch. 62, art. 26.

97. At the request of a candidate or of his duly authorized agent, or when the person presiding at the

poll deems it advisable, any voter may be required to take the oath mentioned in the preceding section.

51-52 Vict., ch. 78, art. 16.

98. No ballot paper shall be given to an elector who shall have refused to take the oath if thereunto required as above set forth.

51-52 Vict., ch. 78, art. 31.

99. Whenever there is reason to know or believe that any person presenting himself to vote, has already voted at the election and presents himself with intent to vote again, or that such person desires to vote under a false name or designation, or falsely represents himself as entered upon the list of electors, the person presiding at the poll, whether he be required to do so or not, shall administer to such person the oath or affirmation authorized by law.

R. S. P. Q., art. 340 .

100. The elector shall mark his ballot paper by making a cross with a pencil on the right hand side opposite the name of the candidate in whose favor he wishes to vote, after which he shall fold it and deliver it to the officer presiding at the poll.

The presiding officer shall ascertain, by examination of his initials, and of the number, without unfolding the same that such ballot paper is the same supplied by him to the voter, and after having detached and destroyed the annex, he shall immediately, and in the presence of the voter, place the same in the ballot box.

If an elector has inadvertently spoiled his ballot paper in such manner that it cannot be conveniently used, he may, on delivering the same to the presiding officer, obtain another ballot paper.

51-52 Vict., ch. 78, art. 32.

101. The poll clerk shall enter in the poll book, opposite the name of each elector presenting himself to vote:

1. The word "voted" as soon as the elector's ballot paper has been deposited in the ballot-box;

2. The word "sworn" if the elector has taken the oath;

3. The words "refused to be sworn" if the elector has refused to take the oath.

51-52 Vict., ch. 78, art. 33.

102. At the request of any elector, who cannot read or write, or who, owing to blindness or other physical infirmity, is unable to vote in the manner prescribed by this act, the officer presiding at the poll shall assist such elector by marking, in the presence of the candidate or his representative, the ballot-paper of such elector in favor of the candidate whom he names, and by depositing such ballot-paper in the ballot box.

53 Vict., ch. 68, art. 35.

103. Whenever a voter has his ballot-paper prepared in conformity with the preceding article, mention of the fact shall be made in the poll-book opposite to the name of such voter.

According to R. S. P. Q., art. 346.

104. If a person, representing himself to be a particular elector named on the list of electors, applies for a ballot paper after another person has voted as such elector, the applicant upon taking the oath aforesaid, shall be entitled to vote as any other elector.

Mention shall be made in the poll book of the fact of the voter having voted on a second ballot paper, issued under the same name, and that, on demand, he has taken the required oath and also of the objections made to such vote, if any, and by whom made.

51-52 Vict., ch. 78, art. 34.

105. Every elector shall vote without undue delay and shall quit the poll as soon as his ballot-paper has been put into the ballot-box.

R. S. P. Q., art. 347.

106. No person shall, directly or indirectly, induce any voter to display his ballot-paper after he has marked the same, so as to make known the name of the candidate for or against whom he has so marked his ballot-paper.

According to R. S. P. Q., art. 371.

107. No person shall interfere with or attempt to interfere with a voter when preparing his ballot-paper, or otherwise make any attempt to obtain information at the poll as to the name of the candidate for whom any voter at such poll is about to vote or has voted.

According to R. S. P. Q., art. 371.

108. Immediately after the close of the poll, the presiding officer shall, in presence of the candidates or their agents, open the ballot-box and count the number of ballot-papers in favor of each candidate, setting aside the ballot-papers not supplied by him and all those by which more votes shall have been given than there are candidates to elect and those bearing any mark by which the voter might be recognized.

51-52 Vict., ch. 78, art. 35.

109. When at the counting of the ballots, it has been established that the number of ballots deposited in the box compared with that entered in the poll-book (taking into account the ballots rejected which were not deposited), and when it appears that the ballots are not others than those supplied by the deputy returning officer, the said deputy returning officer, if he notices in counting, for the purpose of assigning them to each

candidate that by oversight or forgetfulness he has omitted initialling some or all of the ballots on the back, may then do so in presence of the persons in the poll-house, and at the same time indicate it by a note at the end of his initials—as a correction made—and he shall make an entry thereof in the poll-book as prescribed by article 356.

Before so affixing his initials on the said ballots, the deputy returning officer must write, sign and attest under oath before the poll-clerk, the following declaration:

"I swear that, through forgetfulness or oversight, I did not affix my initials on (state the number) ballot-papers, which I acknowledge as having been supplied by me during the polling and which I have found in the ballot box. So help me God.
Sworn before me, at this
day of 19 ."

This declaration must be deposited with the other documents in the ballot-box.

Such ballot-papers shall then be counted as if all formalities had been duly accomplished in respect thereto.

R. S. P. Q., (1909), art. 355.

110. The presiding officer shall make out a statement indicating the number of the:

1. Accepted ballot-papers;
2. Votes given to each candidate;
3. Rejected ballot-papers;
4. Spoiled and returned ballot-papers;
5. Ballot-papers which have not been used and which are returned by him.

He shall make and keep a copy of such statement and enclose the original in the ballot-box.

51-52 Vict., ch. 78, art. 36.

111. The other ballot-papers having been counted, and a list kept of the number of votes given to each candidate, and of the number of rejected ballot-papers, all the ballot-papers indicating the votes given for each candidate respectively, and those rejected, shall be put into separate envelopes or parcels, and all such envelopes or parcels shall be endorsed so as to indicate their contents, and shall be put into the ballot-box.

According to R. S. P. Q., art. 357.

112. He shall also place in the ballot box all the election lists used by him after having written at the foot of such list a certified statement of the total number of electors who have voted on each list.

The poll books and all the ballot papers and other documents shall also be placed in the box which shall then be locked.

51-52 Vict., ch. 78, art. 37.

113. When so requested, the person presiding at the poll shall deliver to each candidate, or to his agent, a certificate of the number of votes given for each candidate, and of the number of rejected ballot-papers.

According to R. S. P. Q., art. 358.

114. Immediately after the addition of the votes as aforesaid, and on the very day of the voting, the officer who shall have presided at such election in each poll respectively, shall carry the ballot box which he had in his possession to the office of the city clerk in the City Hall.

51-52 Vict., ch. 78, art. 38.

115. The ballot-boxes shall then be at once placed by the city clerk in the vault or safe in his office and shall remain there under lock and key until they are

opened as hereinafter set forth, the clerk keeping the key of his vault or safe in his possession.

51-52 Vict., ch. 78, art. 39.

116. On the day after the poll or on the following juridical day, if such day be a non-juridical day, at the hour of eleven o'clock in the morning, at the office of the said city clerk, the latter shall open the ballot-boxes, at which proceeding may be present the mayor of the city and the candidates or their agents. The clerk shall then ascertain the number of votes given in favor of each candidate, according to the statements placed in the boxes by the officers presiding at the polls as aforesaid, and shall declare elected mayor or aldermen, all who shall have obtained the highest number of votes for the office of mayor or of alderman in each ward.

In the event of the illness, death, absence or inability to act of the city clerk, his deputy shall act in his stead and have all his powers.

7 Ed. VII., ch. 62, art. 28.

117. If the votes are equally divided for the same office of mayor or alderman, the city clerk shall, by a written declaration, determine and decide who, amongst those who have the same number of votes, shall be deemed elected to the office.

7 Ed. VII., ch. 62, art. 29.

118. If the ballot-boxes, or any of them, have been destroyed, lost, or are not forthcoming, the city clerk shall forthwith ascertain the cause of the disappearance of such ballot-boxes, and shall procure from the person who has presided at the poll whose box is missing, or from any other person having the same, the lists, statements, and certificates required by this act, or copies thereof.

Each of such documents shall be verified on oath taken before the city clerk.

According to R. S. P. Q., art. 363.

119. If in the case of the preceding article, the lists, statements, certificates or copies thereof cannot be obtained, the city clerk shall ascertain, by such evidence as he is able to obtain, the total number of votes given to each candidate at the several polling places whose boxes are missing.

According to R. S. P. Q., art. 363.

120. The presiding officer at a poll and the city clerk or his assistant at the time of the nomination of candidates have full power to maintain order and preserve the peace; and if an offence is committed before them or proved on oath of a credible witness sworn before and by one of them respectively, each of them has full power to cause to be arrested on verbal order by him given and to be emprisoned on his warrant for twenty-four hours in the common gaol of the district of Quebec, any person who does not maintain order or who disturbs the peace or is armed with a club, a bludgeon or other offensive weapon or who carries a flag, standard, banner, ribbon or cockade or distinctive mark or insignia to show that he is the partisan of any candidate, or who threatens to disturb the peace and good order or who wilfully hinder any elector from voting, or who in any way interferes with the nomination of the candidates or the voting.

51-52 Vict., ch. 78, art. 42.

121. All officers of militia, constable and police officers, or gaolers of the district of Quebec, shall be bound to obey the said verbal order and warrant, under a penalty not exceeding one hundred dollars.

29 Vict., ch. 57, art. 13, parag. 2.

122. The imprisonment of twenty-four hours aforesaid shall not exempt the person or persons so imprisoned from any of the pains and penalties to which he or they would otherwise be liable for the offence committed.

29 Vict., ch. 57, art. 13, parag. 3.

123. Every hotel, restaurant, tavern, shop or store, in which spirituous or fermented liquors are usually sold, shall be closed throughout the day of voting in the wards of the city in which the polls are held, under penalty of a fine not exceeding one hundred dollars, and of imprisonment for six months, in default of payment of the fine.

No spirituous or fermented liquor shall be sold or given to any person whomsoever, within the limits of a ward in the city during such time, under penalty of a fine not exceeding one hundred dollars or of imprisonment, not exceeding six months, in default of payment of the fine.

7 Ed. VII., ch. 62, art. 27.

124. Any person who shall, at such nomination or election, carry any flag, banner, color, ribbon, cockade, or other badge indicating the party to which he belongs, or who shall use any violence, menace, or malicious practice, or disturb the nomination or election, or shall carry any stick, club, or other offensive weapon, shall be liable to a penalty, for every such offence, of one hundred dollars, or three months' imprisonment, or to both at the discretion of the court.

29 Vict., ch. 57, art. 13, parag. 4.

125. Every person who is appointed to perform any of the duties imposed upon him by this act respecting elections and who shall neglect or refuse to perform

any of such duties shall be liable to a fine not exceeding two hundred dollars.

51-52 Vict., ch. 78, art. 50.

126. The mayor and aldermen elected at the aforesaid general election, shall enter into and enjoy the rights and privileges appertaining to their respective offices, on the first day of march following such election.

If the said first of March be a non juridical day, they shall enter into such office only on the first following juridical day.

7 Ed. VII., ch. 62, art. 30.

127. As soon as an extraordinary vacancy occurs in the office of alderman (or councillor), the mayor shall publish or cause to be published by the city clerk a notice specifying a day for the nomination of candidates for an election to fill such vacancy and another day for the voting one week afterwards in the event of such voting being necessary through the nomination of more than one candidate.

Such notice shall be published at least a week before the day fixed for the nomination of candidates in a French and in an English newspaper published in the city.

51-52 Vict., ch. 78, art. 46.

128. If only one candidate be nominated he shall **de facto,** be elected, and it shall be the duty of the city clerk to at once proclaim him elected by a notice inserted in a French and in an English newspaper published in the city.

51-52 Vict., ch. 78, art. 47.

129. If there be more than one candidate at a partial election, the city clerk shall establish one or more polls for the ward in which the election is to be

held, the description of which polls shall be published two clear days before the voting, in an English or a French newspaper of the city, and the voting for such election shall take place at such polls.

57 Vict., ch. 58, art. 4.

130. The appointment of officers and all other proceedings at such partial elections shall be the same as for the general elections.

57 Vict., ch. 58, art. 5.

131. After the ballot boxes used for a partial election have been brought back to the office of the city clerk, the latter shall, at once, on the day of the voting, count the ballots and declare elected the candidate having the greatest number of the votes polled.

57 Vict., ch. 58, art. 6.

132. In the case of a partial election, as aforesaid, the candidate elect shall enter into office immediately after his election.

57 Vict., ch. 58, art. 7.

RECOUNT OF BALLOT PAPERS BY A JUDGE.

133. In th four days following that on which the city clerk has declared a member of the City Council elected, it shall be lawful for any elector to apply, by petition to a judge of the Superior Court at Quebec, for a recount or a new addition of the votes.

53 Vict., ch. 68, art. 36, parag. 50a.

134. Such petition shall be supported by an affidavit to the effect that the officer presiding at the poll has improperly received or rejected any ballot-papers at such election, or has improperly summed up the votes.

53 Vict., ch. 68, art. 36, parag. 50b.

135. The judge, to whom the said petition is presented, shall issue an order specifying the place, day and hour at which he will proceed to examine the ballots, and commanding the city clerk to attend then and there with the parcels containing the ballots used at the election.

53 Vict., ch. 68, art. 36, parag. 50c, No. 1.

136. The order shall be served upon the city clerk and upon the candidates interested, two days before the day fixed by the judge as aforesaid.

53 Vict., ch. 68, art. 36, parag. 50c, No. 2.

137. At the time and place fixed, the judge shall proceed to recount all the said votes or ballots, to examine the ballots set aside or spoiled, and to verify and correct the counting of the ballots and the statement of the number of votes given for each candidate, and shall deliver all the said ballots, with a certificate of the result of his examination, to the said city clerk who shall declare elected the candidate who shall have received the greatest number of votes according to the judge's certificate.

53 Vict., ch. 68, art. 36, parag. 50d.

138. The petition for a recount of the ballots shall be accompanied by a certificate of the prothonotary of the Superior Court, establishing that the petitioner has deposited in the court a sum of fifty dollars, as security for the costs to be incurred in connection with the new recount, by the candidate who appears, by the addition, to have been elected.

58 Vict., ch. 49, art. 17.

139. In all cases not specially provided for by this act, the proceedings followed for the election of members of the Legislative Assembly of ths province shall

apply **mutatis mutandis** to the elections of members of the said City Council.

53 Vict., ch. 68. art. 37.

BRIBERY CLAUSES.

140. No elector shall ask or receive any sum of money, or other recompense, by way of gift or loan, or under any other pretext, or allow or consent to allow his assessments or taxes to be paid for him, or make any contract or agreement for any sum of money, office, gift or employment or other recompense whatever, to induce him to give his vote to or in favor of or withold it from any candidate; and no person shall, either personally or by his agent, as and by way of gift, recompense, or by means of payment of assessment or taxes, bribe or attempt to bribe, or induce any elector to give his vote to or in favor of any candidate; and any person offending against any of the provisions of this section shall be liable, on conviction, to a penalty of two hundred dollars for such offence, to be recovered with costs, by any one who shall sue for the same before the Recorder's Court of the said city.

29 Vict., ch. 57, art. 14, parag. 1.

141. The election of any mayor, alderman (or councillor), shall be declared null and void by any competent court before which it shall be proved that such mayor, alderman (or councillor) has given any sum of money, office, place, employment, gratuity, reward or any bond, bill or note, or conveyance of land, or made any promise to give or do any one or more of such acts or things, or to have threatened any elector that he would cause him to lose any office, salary, income or advantage, either by himself or by his authorized agent for that purpose, with the intent to corrupt or bribe any elector to vote for him as candidate for the office of mayor, alderman (or councillor), or to keep back any

elector from voting for any other candidate for the same, or to open and support, or cause to be opened and supported, at his costs and charges, any house of public entertainment for the accommodation of the electors.

29 Vict., ch. 57, art. 14, parag. 2.

CONTESTATION OF ELECTIONS.

142. No petition for the contestation of the election of a member of the City Council shall be received unless the petitioner has previously deposited, in the hands of the prothonotary of the Superior Court, a sum of two hundred dollars, as security for payment of the costs of such contestation, which may be adjudged in favor of the candidate whose election is contested.

58 Vivt., ch. 49, art. 18.

143. No election shall be declared invalid by reason:

1. Of non-compliance with the provisions of this act as to the taking of the poll or the counting of the votes;

2. Of any mistake in the use of the forms contained in schedules to this act;

If it appears to the tribunal having cognizance of the question, that the election was conducted in accordance with the principles laid down in this act, and that such non-compliance or mistake did not affect the result of the election.

According to R. S. P. Q., art. 434.

(N.B.—For the contestation of those elections, the procedure indicated in articles 987-991 of the code of civil procedure of the Province of Quebec is generally followed).

MEETINGS OF THE COUNCIL.

144. The City Council may meet at periods to be fixed by a By-law, and may adjourn such meetings by

giving notice of such adjournment to the members thereof who may not be present at the time of the adjournment.

29 Vict., ch. 57, art. 16, parag. 1.

145. The mayor shall preside at all sittings of the Council, and do and perform the several duties and be invested with the powers and privileges imposed and conferred upon the mayor of the city by this act until election of his successor.

29 Vict., ch. 57, art. 16, parag. 2.

146. One-third of the whole of the members of the city shall constitute a quorum, except as otherwise herein provided.

29 Vict., ch. 57, art. 16, parag. 3.

147. If anything is required to be done by this act on a day certain, it may be done as soon thereafter as possible, provided it has not been done owing to the want of a quorum.

29 Vict., ch. 57, art. 16, parag. 4.

148. The absolute majority of the members present, not including the mayor, pro-mayor, or member presiding the Council shall determine all questions and matters (except the passing of By-laws) submitted to the Council; the Council shall not in any case vote by ballot.

29-30 Vict., ch. 57, art. 3, as amended by 31 Vict., ch. 33, art. 2.

149. Notwithstanding any law or By-law to the contrary, the presence of the mayor, in his absence, of the pro-mayor or the member presiding at the Council, shall not be counted in computing any majority what-

ever of the members of the Council or for making up the number of members required to be present.

8 Geo. V., ch. 83, art. 9.

150. The mayor shall preside at the meetings of the Council and in case of an equality of votes, shall have a casting vote, and in any other case he shall have no vote.

29 Vict., ch. 57, art. 16, parag. 7.

151. The Council may make rules and regulations for its internal government, and for the maintenance of order during its sittings.

29 Vict., ch. 57, art. 16, parag. 8.

152. The mayor shall maintain order and decorum during the sittings of the Council; he may cause to be arrested by any police officer or constable or other person any one who may disturb the order of the Council during any sitting thereof, and have him, if he sees fit, sent to the nearest police station, to be thence brought before the Recorder's Court, to be dealt with according to law.

29 Vict., ch. 57, art. 16, parag. 9.

153. Any person who in any manner whatsoever disturbs the order or proceedings of the Council, or refuses to obey the legal orders of the mayor or persons presiding at any meetign of the Council as aforesaid, or who violates any enactment of a By-law of the Council made in virtue of the eighth paragraph of this section, shall incur, on conviction for every offence, a fine not exceeding forty dollars, to be sued for and levied according to law.

29 Vict., ch. 57, art. 16, parag. 10.

154. If the mayor or the acting mayor should be

absent from any meeting, the Council shall choose one of its members to preside; and the city clerk shall preside until such choice is made.

29 Vict., ch. 57, art. 16, parag. 11, as amended by 31 Vict., ch. 33, art. 4.

155. The Council may, by By-law, compel its members to attend meetings of the Council and discharge their duties.

29 Vict., ch. 57, art. 16, parag. 12.

156. The meetings of the Council shall be public.

29 Vict., ch. 57. art. 16, parag. 13.

OFFICERS OF THE COUNCIL.

157. The Council shall appoint a city clerk, a treasurer, clerk of markets, a city engineer, one or more road, street, bridge and chimney inspectors, one or more collectors and pound keepers, and such other officers as shall be deemed necessary; and they may remove or dismiss any officer, and appoint another in his place, and may exact security from them, and accord salaries to them, which salaries may be increased or reduced, from time to time, in the discretion of the Council; and no reduction under this section shall give any claim for injury or damages as against the corporation, to any person whose salary shall have been so dealt with.

29 Vict., ch. 57, art, 17, parag. 1; 61 Vict., ch. 52, art. 29.

158. It shall be lawful for the City Council to appoint a person as inspector of steam boilers and motors used in industrial establishments in the City of Quebec, and to pass a By-law defining the powers and duties of the person so appointed.

63 Vict., ch. 48, art. 7.

150. The city shall, before the first of May next appoint a building inspector.

3 Geo. V., ch. 53, art. 21.

160. The City of Quebec shall, before the first day of July next, provide a pension fund for its permanent employees, and all necessary powers for such purpose are conferred on it.

3 Geo. V., ch. 53, art. 19.

161. If, by the act or neglect of any officer of the Council, or of the said corporation, a suit or plaint brought by the said corporation is dismissed, the court, in adjudicating thereon, may, by its judgement dismissing the said suit or plaint, condemn the said officer to pay the amount claimed in the said suit, with interest and costs; or in case of a plaint, the costs thereof, and the said amount and interest thereon, together with the costs thereof, or the costs of the plaint, may be levied in the ordinary course of law against the goods and chattles of said officer, without any other formality or proceeding whatsoever being complied with or taken.

29 Vict., ch. 57, art. 17, parag. 3.

162. If any officer is absent, or incapable of acting, the mayor may appoint an assistant during such absence, and such assistant shall, during the period of which he shall be so appointed, exercise all the powers and perform the duties of the principal so absent.

29 Vict., ch. 57, art. 17, parag. 4.

163. The city clerk shall keep minutes of all the deliberations or proceedings of the City Council; the mayor, or in his absence, the acting mayor, or the member appointed to preside over the Council, shall sign such minutes, and every elector shall have access thereto on payment of twenty cents.

29 Vict., ch. 57, art. 17, parag. 5.

164. All copies of minutes, and generally all certificates, documents and papers, signed by the mayor, and countersigned by the city clerk, under the seal of the city, shall be received in all courts of justice, as proof of the contents of the original thereof; and all copies of documents, certified by the city clerk, under the seal of the city, shall be authentic, and shall be evidence, and held as such, in all courts of justice, unless it be specially pleaded that such signatures and seal are forged.

29 Vict, ch. 57, art. 17, parag. 6.

165. The City Treasurer shall keep true and correct accounts of all sums of money by him received or paid, indicating the several purposes for which such sums of money shall have been received or paid; the mayor and members of the Council shall have the right of examining such accounts at all reasonable times.

59 Vict., ch. 47, art. 2, 1st parag.

166. At the beginning of each fiscal year, the Treasurer shall make out in writing a full abstract of all accounts, both of receipts and expenses, for and during the preceding fiscal year, and cause the same to be printed in the official newspapers of the City Council, after having delivered a certified copy to the City Council. A copy thereof shall be open to the inspection of all the rate-payers of the said city, at the City Treasurer's office, at all reasonable hours, free of charge, and they shall be entitled to a copy thereof on payment of a reasonable price therefor.

59 Vict., ch. 47, art. 2, 2nd parag.

167. All officers appointed by the Council, shall be obliged to render to the said Council a true account, in writing, of all matters committed to their charge, and also of all moneys which they shall respectively receive; if they shall not render such account, or deliver up to the

said Council the papers, books, moneys, documents or other effects belonging to the said Council, the said corporation shall make complaint before the said Recorder's Court, which shall order that a warrant do issue from the said court, to arrest and bring this officer before it, and whether such officer shall or shall not appear, or shall or shall not be found, the said court shall hear and determine the said complaint in a summary manner, and if it shall appear to the said court that the said officer owes money to the said corporation, such court shall issue a writ to cause such moneys to be levied by distress and sale of the goods and chattles of the said offender, and if sufficient goods and chattels shall not be found to satisfy the said moneys and the costs of distress, or if it shall appear to the said court that such officer has refused, or wilfully neglected to deliver such accounts or vouchers, books, papers, documents or other effects confided to him, or which were in his custody, or has omitted or refused to deliver them to the said corporation, the said court shall imprison the offender in the common gaol of the district of Quebec, where such officer shall remain, without privilege of bail, until he shall have paid such moneys as aforesaid, or shall have delivered a true account, and shall have delivered up such books, documents, papers, effects and vouchers as aforesaid, or shall have given satisfaction to the said Council in relation thereto; but no such officer shall be detained in prison for want of sufficient means, for a longer period than three calendar months.

29 Vict., ch. 57, art. 17, parag. 10.

168. Nothing in the present act contained shall prevent or restrict any judicial remedy against any officer offending as aforesaid, in the present section, or against any surety for any such officer.

29 Vict., ch. 57, art. 17, parag. 11.

169. The mayor may, whenever he shall consider it necessary, require the recorder of the said city to institute an enquiry into the conduct of any officer or servant of the said corporation, in his capacity as such, and the said recorder shall for that purpose be vested with all the powers conferred upon him by section twenty-seven of this act, **(art. 187 hereafter)**, in the case of an inquiry ordered by the Council.

29-30 Vict., ch. 57, art. 4, 1st parag.

170. The mayor may suspend such officer or servant from the performance of his duties, and such suspension may continue until the Council of the said city shall thereupon decide.

29-30 Vict., ch. 57, art. 4, 2nd parag.

171. The mayor exercises the right of superintendance, investigation and control over al lthe departments and officers of the municipality, and especially sees that the revenue of the municipality is collected and expended according to law, and that the provisions of the law as well as all By-laws, rules and regulations of the municipality, are faithfully and impartially enforced, and, from time to time, lays before the Council such proposals for alterations or amendments as he may deem necessary and advisable, and shall communicate to the Council such information and suggestions as may tend to the improvement of the finances, police, health, security, cleanliness, comfort and progress of the municipality.

In the exercise of his functions as the executive head of the municipal administration, the mayor has the right, at any time, to suspend any officer or employee in the service of the municipality, and, in such case, the mayor shall at the earliest opportunity, report the matter to the council or to the committee having immediate

supervision over the department affected, stating in writing the reasons for such action on his part.

R. S. P. Q., art. 5304.

172. Every By-law, resolution, obligation or contract approved by the Council, shall, within forty-eight hours after the approval of the Council, be presented by the clerk to the mayor for his approval and signature.

If he refuse to approve thereof he returns the same with his objections in writing, to the clerk, who submits them for reconsideration at the next session of the Council, as a matter of urgency and privilege.

If the absolute majority of the members of the Council reaffirm such By-law, resolution, obligation or contract, the mayor is bound to sign and approve the same, and if he refuse so to do, such By-law, resolution, obligation or contract is legal and valid as if signed and approved by him, subject, nevertheless, to any special provisions of the law by which a specified majority of the Council is required for the approval of any By-law, resolution, obligation or contract, or where the approval of the mayor is specially required.

R. S. P. Q., art. 5305.

N.B.—The two preceding articles, replacing 3 Ed. VII., ch. 38, art. 50 and 51, are applicable to the mayor of the City of Quebec, in virtue of the law 7 Ed. VII., ch. 62, art. 31.

173. The clerk of the City of Quebec may, for and in the name of the corporation, reply to all interrogatories upon articulated facts served upon the corporation, and the treasurer thereof shall have power to make the declarations required by law for and in the name of the corporation as garnishee, without being authorized by a resolution of the City Council to that effect.

51-52 Vict., ch. 78, art. 64.

174. The salaries and emoluments of the officers and employees of the corporation of the city are seizable for one-fifth only.

59 Vict., ch. 47, art. 30.

N.B.—The first part of the preceding article, as it is in the statute, being now inoperative, it has been omitted.

AUDITORS—THEIR APPOINTMENT AND DUTIES.

175. In the month of February, in each year, the Council shall appoint two auditors, chosen from among the persons having the qualifications prescribed by this act, to fill such office, or shall appoint a permanent auditor with a salary.

29 Vict., ch. 57, art. 26, parag. 1, as amended by 41-42 Vict., ch. 14, art. 3.

176. No person shall be capable of being elected auditor unless he shall have been a resident householder within the City of Quebec for one year next before his election.

29 Vict., ch. 57, art. 26, parag. 2.

177. No member or officer, or employé of the City Council shall be appointed auditor.

29 Vict., ch. 57, art. 26, parag. 3.

178. Any vacancy occurring in the office of the auditor shall be filled up by the Council.

29 Vict., ch. 57, art. 26, parag. 4.

179. Any person who shall refuse to accept the office of auditor shall be liable to a penalty of two hundred dollars.

29 Vict., ch. 57, art. 26, parag. 5.

180. Every auditor, before acting as such, shall

take the oath of allegiance and of qualification mentioned in schedule E (schedule I of the present compilation) appended to this act and of which it forms part. And such oaths shall be administered by the recorder of the said city or by a justice of the peace for the District of Quebec.

29 Vict., ch. 57, art. 26, parag. 6, as modified by 29-30 Vict., ch. 57, art. 12.

181. Immediately after the close of the fiscal year, the city auditor shall examine the treasurer's accounts for the previous year with all vouchers and papers connected therewith, and certify them correct, if they shall be so, and return them to the Treasurer.

59 Vict., ch. 47, art. 3.

182. In their report to the Council, in May, in each year, the auditors shall declare upon oath whether the City Treasurer has or has not complied with the requirements of the present act with regard to the sinking fund.

29 Vict., ch. 57, art. 26, parag. 8.

FIRE COMMISSIONER.

183. The fire commissioner for the City of Quebec is entitled to an annual salary of one thousand seven hundred dollars, to be paid by the City of Quebec by quarterly payments; and in addition to the said salary, he has a right to receive from the said city, for every original subpoena, twenty cents, and each copy thereof, five cents, and for every warrant, warrant of arrest, or warrant of commitment, fifty cents.

The city is entitled to recover from the fire insurance companies or their agents, doing business in the said city, two-thirds of the amount paid by it, in such manner and at such periods as may be determined by By-law made for that purpose, and which By-law it is authorized to make, and from time to time to change or

alter; and by such By-law the said city may establish the proportion to be paid by each of the said fire insurance companies, and, in case of non-payment, the action to that effect shall be brought before the Recorder's Court and decided according to the law regulating the said court.

R. S. P. Q., art. 3822.

184. After thirty years' service, the fire commissioner of the City of Quebec shall be entitled to a pension equal to his salary, payable in the same manner and by the same persons as provided by article 3822, of the Revised Statutes, 1909.

4 Geo. V., ch. 72, art. 17.

OTHER POWERS OF THE COUNCIL.

185. The Council may appoint committees, composed of a certain number of its members, for the discharge of the duties within its jurisdiction, but such committees shall be subject in all things to the approval, authority, and control of the said Council.

29 Vict., ch. 57, art. 27, parag. 2.

186. The mayor may take part in the discussions and vote in all committees of the Council, and the chairman shall only have a casting vote in the case of an equal division.

29-30 Vict., ch. 57, art. 42, parag. 36.

187. The Council may, by a resolution, cause the recorder of the City of Quebec to take cognizance of all matters mentioned in such resolution, whether it relates to any alleged malfeasance, violation of deposit, or other improper conduct, of any of its members, officers, employees or contractors, in so far as such acts shall have been committed by the offender in his capacity of member, officer, employee or contractor, or whether it re-

lates to the good government, or the administration of any portion of the public affairs of the said city; and the recorder shall thereupon make an investigation, and he shall have, for this purpose, all the powers given by the one hundred and fourth chapter of the consolidated statutes of Canada, to commissioners named by virtue of the said chapter, and he shall report to the said Council the result of such investigation with all possible diligence.

29 Vict., ch. 57, art. 27, parag. 5.

(N.B.—Articles 584-598 of the R. S. P. Q., now contain the provisions applicable to that matter).

188. Upon any inquiry or investigation being entered into before the said Council or any committee thereof, it shall be lawful for the mayor or other person representing him, to issue his summons requiring any person to appear before the said Council or any committee thereof as aforesaid, for the purpose of giving evidence touching the said inquiry or investigation; and if any person so summoned shall neglect or refuse to appear at the time and place appointed by such summons, and no reasonable excuse for his absence shall be proved, before such Council or committee, or if any person appearing in obedience to such summons shall refuse to be examined on oath, touching the said inquiry or investigation, it shall be lawful for the said mayor to enforce the attendance of all such persons and to compel such persons to answer all lawful questions by the like means as are used for such purposes in the ordinary courts of civil jurisdiction in the province of Quebc.

31 Vict., ch. 33, art. 9.

(N.B.—In the month of January, in each year, the City Council shall transmit to the Provincial Board of Health, a report on the sanitary operations of the year ending the 31st December preceding, according to article 3893 of the R. S. P. Q.)

CONTRACTS.

189. Every contract, wherein the consideration exceeds two hundred dollars, which shall be given for the city, for work to be done by it for articles or things to be supplied to it, shall be notarial deed, and the party contracting with the city shall, as security for the performance of his contract, furnish such security as the Council determine before the granting of the contract, by the Council, or by the mayor if the Council has delegated such power to him.

If the Council has not determined the security to be furnished or decided that no security is necessary, such contract shall be void.

8 Geo. V., ch. 83, art. 6.

190. The letting of the stalls of the various market halls of the city shall be effected by notarial deeds, and the lessee shall furnish, to the satisfaction of the mayor of the said city, two solvent sureties.

55-56 Vict., ch. 50, art. 11.

191. The possession of a stall shall not be given to a lessee until the said securities are furnished and the lease signed by the mayor.

33 Vict., ch. 33, art. 28, parag. 2.

ASSESSMENTS FOR MUNICIPAL PURPOSES.

ASSESSORS, APPOINTMENT AND DUTIES.

192. Four or more assessors shall be appointed by a special board, called the assessment board and consisting of the mayor, the recorder, and the chairman of the Finance Committee of the city.

Such assessors shall remain in office during the good pleasure of the said board.

53 Vict., ch. 68, art. 2.

193. No person shall be eligible as assessor unless he is seized or possessed to his own use of real or personal estate, or both, within the city, after payment or deduction of his just debts, of the value of one thousand dollars.

29 Vict., ch. 57, art. 18, parag. 2.

194. Any person who shall refuse to accept the office of assessor, shall incur a penalty of two hundred dollars.

29 Vict., ch. 57, art. 18, parag. 3.

195. The remuneration of the assessors shall be fixed from time to time by the assessment board, and any vacancies among the assessors shall be filled by the said board.

29 Vict., ch. 57, art. 18, parag. 5.

196. The assessors cannot act as such before having taken, before the mayor or before another member of the assessment board, the oath of office, qualification and allegiance mentioned in schedule V of this act **(schedule G of the present compilation).**

59 Vict., ch. 47, art. 28.

197. Two members of the said board, present at any meeting of the said board, shall be competent to exercise all the powers conferred on the said board by this act.

29-30 Vict., ch. 57, art. 6, parag. 2nd.

198. The assessors shall, each year, value all properties within the limits of the City of Quebec, and make returns also of the names of all [illegible]s liable to pay any tax, duty or impost, specify[illegible]
by every such person.

29 Vict., ch. 57, art. 18, p[illegible]

199. The assessors shall have the power to assess during the whole year of their term of office.

29 Vict., ch. 57, art. 18, parag. 9.

200. The assessment board shall regulate and determine the time when the assessors of the said city shall annually begin their duties, the manner in which they shall perform them, the period within which they shall annually make their first general return of the assessments to be levied in the said city, and the time and manner in which they may or shall correct their said return by extending the same and adding thereto the names of any parties omitted or who shall have become known to the said assessors, or shall have arrived in the said city subsequently to the making thereof, or who shall have become liable to pay any assessment, tax or duty, to the said city, at any time after the said general return shall have been made.

29 Vict., ch. 57, art. 18, parag. 10.

201. The said assessors may exercise, either collectively or separately, each and every one of the powers which are conferred upon them by this act, or by any other act, or by the By-laws of the Council now in force, or by those to be hereafter made by the said Board.

29-30 Vict., ch. 57, art. 6, parag. 1st.

202. The assessors shall, in future, enter in their books the names of all the proprietors, tenants or occupants of immoveables, with a statement of the venal value, the leasing value or the rent, as the case may be, of each immoveable or part of an immoveable occupied separately, even if such proprietor, lessee or occupant, pays or does not pay taxes to the city.

53 Vict., ch. 6, art. 31, parag. 3, last sentence.

203. In assessing the real estate in the city, the as-

sessors shall take, as the basis of their valuation, the bona fide rentals thereof or the interest upon the real value of such property, if they consider the rental is an unfair one and disproportioned to the value of the property assessed.

If the property is occupied by the proprietor himself or is in his possession, the assessors shall determine the amount of the assessment to be paid on and according to the rental which the property might be worth and hould bring or on the real value of such property.

57 Vict., ch. 58, art. 8, two first parag.

N.B.—That law is of 1894, when the legal rate of interest was of 6 per 100. It is by law 63-64 Vict., ch. 29, of July, 1900, that the rate of interest has been changed from 6 per 100 to 5 per 100.

204. If an immoveable in the city is occupied partly by the proprietor and partly by tenants, the assessors shall determine the amount of the assessment to be paid by him by basing the assessment on the rent or on the leasing value of the portion occupied by him as compared with the leased portion.

1 George V, ch. 47, art. 15.

205. Proprietors of houses containing several lodgings or offices in the city, shall furnish the assessors in writing, when thereunto required, with a full list of their tenants or occupants and the amounts paid by each of them for the rent or occupation of such lodgings or offices. Every such proprietor who refuse to give such list, or who knowingly gives a false or incorrect list, shall incur a penalty not exceeding forty dollars recoverable by suit before the Recorder's Court.

1 George V., ch. 47, art. 16.

206. Every person keeping a store, shop, factory, agency, hotel or business office of any kind in the city

and having employees, shall furnish the city assessors in writing, when thereunto required, with a full list of the said employees mentioning their residences; and every person above mentioned who refuses to give such list or who knowingly gives a false or incomplete list shall incur a penalty not exceeding forty dollars recoverable before the said Recorder's Court.

1 George V., ch. 47, art. 17.

207. Vacant lots shall be assessed upon the interest at six per cent of their real value.

3 Ed. VII., ch. 61, art. 14.

208. In addition to the method at present authorized for taxing immoveables in the said city, the municipal council of the said city is authorized to pass a By-law enacting and ordering that the assessment of such immoveables shall be based on their actual, real, commercial and venal value at the time of the assessment instead of on their leasing value.

2 Geo. V., ch. 55, art. 15.

209. Any person who shall refuse to reply to the questions which are put to him by any assessor in the discharge of the duties imposed upon him by law, or who shall give information to the said assessor which he knows to be false, or who shall verbally insult or slander or strike such assessor, or who shall refuse to allow any such assessor, in the discharge of his said duties, to enter in and upon his property or the localities occupied by him, shall incur for each such offense, a penalty not exceeding forty dollars. which shall be recovered, according to law, before the Recorder's Court of the said city.

33 Vict., ch. 46, art. 40.

210. The city assessors shall constitute a board,

called the "Board of Assessors" a majority whereof shall be a quorum.

1 George V., ch. 47, art. 18.

211. The clerk of the Recorder's Court or his assistant shall act as clerk of the board, and shall keep a register in which he shall enter in a summary manner, the proceedings and decisions of the board.

1 George V., ch. 47, art. 19.

212. As soon as the assessors shall have deposited the assessment rolls in the office of the City Treasurer, the latter shall publish a notice of such deposit during three weeks in a French and in an English newspaper of the city. During the three weeks following the date of the first publication of the notice of such deposit, all persons considering themselves aggrieved by any entry, estimate or charge in the said assessment roll, shall file a complaint before the board of assessors of the said city, in writing, and sworn to before a Justice of the Peace, a member of the Council or the clerk of the Recorder's Court of the city. Such complaint shall be filed during the same period with the Board of Assessors and the clerk of the said Board shall give in the said newspapers, notice of the days and hours when they will hear the complaints.

1 George V., ch. 47, art. 20.

213. The assessor who has valued the property respecting which a complaint was made before the Board, cannot sit nor hear complaint.

1 George V., ch. 47, art. 21.

214. When complaints are heard, the witnesses may be sworn by the clerk of the said board or by one of the assessors. The depositions of the witnesses need not be taken down in writing, but each party may, at his

own expense, employ a stenographer to take down such depositions.

1 George V., ch. 47, art. 22.

215. The Board of Assessors may adjourn from time to tim_ when necessary, to enquire into and decide upon the complaints laid before them, but they shall give their decision within as short a delay as possible.

1 Geo. V., ch. 47, art. 23.

216. Every ratepayer who has filed a complaint respecting an entry in or omission from the assessment rolls and who considers himself aggrieved by the decision rendered by the assessors, may, within a delay of eight days from the service in writing of such decision, appeal therefrom, by petition to the Recorder's Court.

1 George V., ch. 47, art. 24.

217. Such petition, as well as a copy of the proceedings had before the assessors certified by the clerk of the said board, shall be filed in the office of the clerk of the Recorder's Court, who shall give each petitioner notice of the day and hour when the said court will take cognizance of such petition.

If either of the parties so requires the depositions shall be taken in short-hand before the Recorder's Court, which by its judgment shall adjudge as to the cost of such depositions.

1 George V., ch. 47, art. 25.

218. In any such appeal to the Recorder's Court, the assessors may be witnesses according to the ordinary rules.

1 George V., (2nd session), ch. 59, art. 24.

219. The party who is not satisfied with the decision of the Recorder's Court in connection with the said

complaint may, within ten days following such decision, appeal to the Superior Court, whose judgment shall be final and without appeal. Each party may have witnesses heard before the Superior Court, which, by its judgment, shall adjudge the costs of the appeal.

Such appeal shall be taken by an inscription filed in the office of the Recorder's Court, notice whereof shall be given to the adverse party.

Within a delay of five days, the clerk of the Recorder's Court shall transmit the record to the office of the Prothonotary of the Superior Court.

6 George V., ch. 43, art. 8.

220. All the delays mentioned shall be final, so that any complainant who shall neglect to make his complaint or proof within the time specified, and take out such appeal within the prescribed delay, shall be foreclosed from so doing, and be held responsible for and compelled to pay the amount for which he may be assessed, according to the said assessment books, together with all sums charged against him for taxes, rates, imposts, duties or other municipal charges.

29 Vict., ch. 57, art. 20, parag. 2.

221 In any case where, after the making up of an assessment book, it shall become necessary to correct or amend the errors or omissions that may be found therein or to make amendments thereto, or whenever persons, not subject to assessment or to any tax whatsoever at the time of the making up of the said assessment book, shall, thereafter and within any period of the fiscal year, become subject to the payment of such assessment, rate or tax, such correction of errors or omissions, shall be made in such assessment book on petition to that effect addressed by any assessor to the Recorder's Court; provided such application shall not

be made for more than the current year and the four preceding years.

3 Ed. VII., ch. 61, art. 5.

222. The said petition shall be served on the interested party with a notice of its presentation, with a delay of two clear days, and proceedings shall be had thereon in accordance with the procedure of the said court; and, if the said petition be proved, the said court shall order such error or omission to be rectified or such entry to be made in the assessment book as it may deem proper.

3 Ed. VII., ch. 61, art. 6.

223. When a building, which has not been commenced or completed when the assessment books are completed, shall be finished in the course of the fiscal year, and when the entry in the assessment book of such addition to the immoveable shall have been permitted by the Recorder's Court, the owner of such addition or new building shall be bound to pay to the city the amount of the taxes, assessments and water rates, which shall have been entered in the said assessment book, proportionately to the remaining period of the fiscal year.

61 Vict., ch. 52, art. 21, 1st parag.

224. If, at any time, it be ascertained that a property has been assessed at a leasing value less than the amount for which it has actually been leased, and if such under valuation be due to inaccurate information supplied to the assessor, it shall be lawful for the said assessor to present a petition to the Recorder's Court, setting forth the facts, and praying for authority to enter in the said assessment books the additional assessments and taxes which would have been due on the difference

between the leasing value entered in the books and that which should have been entered therein.

Such petition shall be served upon the proprietor of the immoveable so undervalued at least five days before presentation of the same, and proceedings shall be had thereon as in the case of a complaint by ratepayers.

By such petition, no increase of assessments or taxes can be asked for more than the past five fiscal years.

61 Vict., ch. 52, art. 21, three last par.

225. If the assessment on immoveables in the city is based on their real value instead of on their leasing value, the assessor's petition shall then be to the effect that they be authorized to enter in the assessment book, the additional assessments and taxes accruing through the difference between the real value entered in the book and that which should have been entered.

3 George V., ch. 53, art. 8.

226. Whenever the corporation shall consider itself aggrieved by an entry made in any of the assessment or valuation books of the said city, it will be competent for the City Treasurer, in the name of the said corporation, to complain of any such entry, in the manner and at the time prescribed by the first subsection of the twentieth section of the act twenty-ninth Victoria, Chapter fifty-seven, and the said corporation shall be bound to give eight days notice to the person affected by such entry.

34 Vict., ch. 35, art. 19, parag. 1.

N.B.—That provision of the lay 29 Vict., ch. 57, art. 20, parag. 1, is now replaced by the law 1 George V., ch. 47, art. 20 (art. 212 heretofore of the present compilation.

227. The said Recorder's Court may also at any time, on demand brought before it by the City Treasurer, correct any error and supply any omission whatsoever, as to the right of property, possession or occupation of any immoveable property within the said city, or as to the name, quality, or domicile of any person subjected to any assessment or tax whatsoever, which now or hereafter may exist in any assessment book for any specified year, in conforming to the procedure as laid down in the twentieth section of the same act.

34 Vict., ch. 35, art. 19, parag. 2.

N.B.—It was art. 20 of 29 Vict., ch. 57, which is now replaced by 3 Ed. VII., ch. 61. art. 5 and 6, (art. 221 and 222 heretofore of the present compilation).

228. Any assessment book, or roll appearing to be an assessment book or roll of the said city, or of one of the wards thereof for a given year, and produced before a court of justice, until proof to the contrary, shall be presumed to be an assessment book or roll of the said city or of such ward thereof for the said year.

33 Vict., ch. 46. art. 23.

ORDINARY ASSESSMENTS.

229. The Council may, at any meetings thereof composed of not less than two-thirds of the members thereof, make By-laws for the following purposes.

29 Vict., ch. 57, art. 21, parag. 1.

230. For the raising, assessing and applying such moneys, as may be required for the execution of the powers with which the said Council is now, or may be hereafter invested, either by imposing tolls and rates, to be paid in respect of any public works within the said city, or by means of a rate or assessment, to be assessed and levied each and every year, on real or personal pro-

perty, or both, within the said city, or upon the owners of occupiers therefore in respect of such property.

29 Vict., ch. 57, art. 21, parag. 2, as amended impliedly by 51-52 Vict., ch. 78, art. 58.

231. The Council may make By-laws for imposing taxes on animals, carriages, trades, commerce, traffic, manufactories, industries, occupations, business, arts, professions, or means of gain or livelihood which are now or may hereafter be used, exercised or put in operation in the city, on their agents or agencies, or on the premises wherein or whereupon they are and may be carried on, exercised or put in operation, and on all ferrymen between the city and another locality, not being at a greater distance than twelve miles from the city, and upon every circus company or circus giving exhibitions or having performances or processions in the city.

7 Ed. VII., ch. 62, art. 34.

232. The amount of the taxes for carrying on any business, trade or occupation, in the city, by persons residing outside its limits, but theretofore paying no municipal tax to the said city, may be different from the amount of the said taxes exacted from persons residing therein, and such taxes may be levied in the form of permits or licences.

8 Ed. VII., ch. 83, art. 5.

233. Each and every special tax imposed in virtue of the foregoing provisions may, at the option of the Council, be either a fixed annual tax on all or any of the divers classes of persons subject to such taxes and on the premises by them occupied for the ends of their commerce, trade or industry, or a proportional tax, to be determinated by the said Council, according to the assessed real value of the immoveable or any part thereof

as such, or according to the annual value of the rental of such immoveable or any part thereof occupied as aforesaid by the persons subject to such tax, or to both modes together, that is to say, a fixed tax on the person subject to said tax and a proportional tax on the immoveable occupied as aforesaid, or only a fixed tax on the said person, according as the said Council shall in each case consider it more advantageous for the city.

50 Vict., ch. 57, art. 14, 2nd parag.

234. For the ends of the said act, twenty-ninth Victoria, chapter fifty-seven, and of the acts amending it, all persons shall be reputed wholesale dealers who habitually sell to other dealers; wholesale and retail dealers, persons who habitually sell to dealers and non-dealers; retail dealers, those who habitually sell to non-dealers.

31 Vict., ch. 33, art. 8.

235. In the case of rate or rates imposed on the partner of a firm or company of merchants as aforesaid, such rates may be claimed and recovered in the manner prescribed for the recovery of assessments, taxes or rates imposed by the said Council either against such partner or against the firm or company of which he is partner.

29 Vict., ch. 57, art. 21, parag. 5.

236. In non-commercial partnerships any personal tax imposed on persons exercising any profession or trade in the said city shall be payable by each such person individually, notwithstanding the fact that he exercises such profession or trade in partnership with others.

33 Vict., ch. 46, art. 39.

237. In all cases where the said Council is author-

ized by law to impose a rate or rates on the agency or agent of any person, firm or company whatsoever, incorporated or not, carrying on or exercising any trade or business whatsoever, or any banking business or commercial business, in the said city, such rate or rates may be claimed and recovered in the manner above set forth against the agency or agent of such person, firm or company in the said city.

29 Vict., ch. 57, art. 21, parag. 6.

238. All and every agent, or agents of all and every insurance company, or all and every agency of insurance company having an office or doing business in the City of Quebec, and also all and every agent or agents of all and every merchant, firm of merchants, or of any mercantile concerns whatsoever having an office or doing business in the said City of Quebec, shall be held personally responsible towards the Corporation of the City of Quebec, for all taxes or duties imposed by the City Council on each and every one of them as such agent or agents of all and every insurance company or on all and every agency of insurance company, or as agent or agents of all and every such merchants, firm of merchants, or of any mercantile concerns whatsoever.

37 Vict., ch. 50, art. 4.

239. And the words "agent" or "agents", in the foregoing subsections, signify any and every agent or any and every agency of one and the same company or partnership having several distinct and separate agents or agencies in the said city, and the special rate imposed on the different trades, business or occupations hereinabove specified, shall be payable for such and every establishment of such trade, business or occupation in the said city, when it shall be carried on by the

same person, firm or persons or company in a distinct and separate house or place of business.

29 Vict., ch. 57, art. 21, parag. 9.

240. Every person of the male sex above the age of twenty-one, and under the age of sixty years, not otherwise personally taxed, shall pay an annual or capitation tax of two dollars currency.

34 Vict., ch. 35, art. 23.

(N.B.—See art. 243 and 244 hereafter).

EXEMPTIONS FROM CAPITATION TAX.

241. The following persons shall be exempt from the said capitation: All persons above the age of sixty years; the officers and soldiers of Her Majesty or of the Militia in active service ,or any person domiciled in the said city during less than six months; apprentices bona fide; and any person who shall serve in any fire company established by the corporation or under its control, so long as he shall belong to such company.

29 Vict., ch. 57, art. 22.

SPECIAL PROVISIONS AND LICENSES.

242. A personal fixed and annual tax of one hundred dollars is hereby imposed on all persons or firm of persons doing business in the City of Quebec as merchants ,or firm of merchants, or agents, or clerks, or employees of such merchants, or firms of merchants having their offices or counting house within the City of Quebec, but having their warehouses, coves or wharves, outside the limits of the said city, the said tax to be paid in addition to all other taxes or duties already imposed on all merchants, or firm of merchants in the said city.

37 Vict., ch. 50, art. 3.

243. A further personal tax of two dollars shall be imposed, and payable annually, by every person doing

or exercising any business whatever, profession, art or trade, and by any person exercising or practising the same in the said city, either personally or by other persons acting as their agents.

40 Vict., ch. 52, art. 3.

Nevertheless any person over sixty years of age and earning less than six hundred dollars per annum shall be exempt from the payment of the said tax.

10 Geo. V., ch. 85, art. 2.

244. The personal tax of two dollars, mentioned in the act 40 Victoria, chapter 52, section 3, is declared to have been and to be payable by every person residing within the city, who has regular employment or earns a yearly salary therein, and in future, shall be payable by every such person whether they reside within or without the city.

1 Ed. VII., ch. 42, art. 9.

[N.B.—The tax of $2.00 mentioned in the two preceding articles is distinct from and above the tax mentioned in art. 48 of By-law No. 200, as amended by By-law No. 233].

245. Notwithstanding any law or By-law to the contrary, the City of Quebec shall not impose any personal tax on workmen not residing within its limits.

3 Geo. V., ch. 53, art. 17.

246. In every case where the Council is or shall be authorized to impose a specific rate or rates on any commerce, trade or business whatsoever, followed or carried on in the said city by an association or company of persons, or by any person whomsoever, the said Council may impose such rate or rates in the manner now prescribed by law, or oblige all such commerce, trade or business, or merely render liable to such obligation the said commerce, trade or business to such extent, and not

exceeding the rate fixed by the By-law of twenty-seventh April, one thousand eight hundred and sixty-six.
33 Vict., ch. 46, art. 18, parag. 1.

247. All licenses shall be issued under the signature of the chief of police of the city, on the certificate of the City Treasurer that the price of license has been paid by the person applying for the said license.
6 Geo. V., ch. 43, art. 6.

248. Notwithstanding any law or By-law to the contrary, every license issued by the city must be given under the signature of the Chief of Police.
8 Geo. V., ch. 83, art. 10.

249. Any person carrying on in the said city any commerce, trade or business for which a license ought to be previously taken out and obtained as aforesaid, without such license, shall incur for such offense a fine not exceeding five hundred dollars, to be recovered conformably to law, before the Recorder's Court of the said city.
33 Vict., ch. 46, art. 18, parag. 3.

250. All licenses which in virtue of the present section as well as all licenses which the corporation of the City of Quebec is authorized to issue under the acts incorporating the said city, shall be valid from the day of the issuing thereof until the first day of may then next, and no longer.
33 Vict., ch. 46, art. 18, parag. 4.

251. All owners or masters of steamers, steam towboats or steamboats, and all agents of owners or masters of steamboats, (oceanic steamers excepted), plying within the limits of the city of Quebec, or towing in the harbour of Quebec, having no office or place of business

in the said city, shall be bound to take out annually on the first day of may, in each year, or before allowing such steamers, steamboat or steamboats to ply within the said limits or to tow in the said harbour as aforesaid, from the clerk of the Corporation of the City of Quebec, a license, for which they shall pay to the Treasurer of the said city the sum of twenty dollars for each license, under pain of a fine not exceeding forty dollars for each contravention to the provisions of the present act.

37 Vict., ch. 50, art. 1, as amended by 38 Vict., ch. 74, art. 28.

252. All merchants, firm or company of merchants, and all agents, clerks or employees of such merchants, firm or company of merchants not residing in the City of Quebec, and having no office or place of business within the said city, but doing business therein, as such merchants, agents or clerks or employees of such merchants, firm, or company of merchants, shall be bound to take out annually, on the first day of may in each year, a license from the clerk of the Corporation of the City of Quebec, before they may exercise their trade, commerce or business in the said city, for which license they shall pay respectively to the Treasurer of the said city, a sum of one hundred and twenty dollars, the said license to be taken under pain of a fine not exceeding one hundred and fifty dallors for each contravention to the provisions of the present section.

37 Vict., ch. 50, art. 2, as amended by 38 Vict., ch. 74, art. 29.

COMMERCIAL TRAVELLERS.

N.B.—The law 29-30 Vict., ch. 57, art. 20, of 1866, authorized the City Council of Quebec to pass a By-law to compel the commercial travellers coming from places outside of the city, to take out a license for the exercis-

ing of their trade in the city, for which license a sum not exceeding $200.00 might be exacted.

The law 50 Vict., ch. 15, of 18th May, 1887, has abrogated any statute empowering a municipal corporation to exact a license from the commercial travellers taking orders or selling on samples or catalogues or lists of prices; and that same law has abrogated the municipal By-laws then in existence in that respect. That provision of the law has been refunded in article 4644 of the R. S. P. Q., of 1888.

The law 2 Ed. VII., ch. 29, has made to that article 4644, a modification according to which a city may make a By-law to compel those commercial travellers to take out a license, if they sell on samples to persons other than merchants, traders, or manufacturers, only in the ordinary course of their business. Article 5932 of the R. S. P. Q., of 1909, now contains the law in that respect.

COLLECTION OF ASSESSMENTS.

253. The said City Treasurer, as respect all rates and assessments to be imposed, otherwise than by the sheriff, is hereby authorized to give the notices, (form G), [schedule K of the present compilation] make the demands (form H.) [schedule L of the present compilation], to be signed by the City Treasurer or bear a fac simili of his signature, and for the said notices, the Treasurer is authorized to charge a sum of twenty cents for each notice, and ten cents for the signification thereof by the bailiff, and in default of payment to seize and sell by warrant to be issued by the Recorder's Court, according to (form J) [schedule M of the present compilation] anexed to this act, in manner and form as provided for in the said section; and in the event of any opposition being filed, the proceedings shall be remitted to the Recorder's Court, which shall have full power to

act and adjudicate therein, subject to an appeal when an appeal is now granted by law.

33 Vict., ch. 46, art. 30.

254. Whenever the person upon whom such notice and demand has been served, has any defence to the claim of the said corporation, he may, within ten days from the day on which such service has been made, present to the Recorder's Court a petition, of which notice shall be given to the City Treasurer, setting forth the nature of his defence, and praying that no further proceedigs be taken on such notice and demand, which petition shall in all cases be supported by affidavit; upon the presentation of such petition, the said Recorder's Court shall proceed to adjudicate thereupon, and if it be dismissed, the notice and demand served shall have the same effect as if no such petition had been presented; and if the said petition be maintained, the said Recorder's Court shall make such order thereupon as the justice of the case may require.

29-30 Vict. ch. 57, art. 11, parag. 1, No. 4.

255. But the said corporation may also sue for the recovery of any ordinary or special assessment, tax, duty, or municipal dues whatever, owing to the said corporation, by action before the Recorder's Court, and in accordance with the law regulating the said court.

29-30 Vict., ch. 5, art. 11, parag. 1, No. 2.

256. Whenever any assessment, tax, rate or municipal dues whatever shall have been imposed on any moveable or immovable property belonging to several co-heirs, or possessed **par indivis** by several persons whose names cannot easily be ascertained by the assessors, it shall suffice for the said assessors to incribe in the asiessment book the name of one of the co-heirs or co-possessors; and the co-heir or co-possessor whose

name shall be thus inscribed shall be held liable for the full payment of the assessment, tax, rate, or other municipal dues so imposed, reserving his remedy as by law against his co-heirs or co-possessors.

29-30 Vict., ch. 57, art. 11, parag. 2.

257. No person assessed on real property shall pay less than one dollar in each year, even if the amount of his assessment shall be less than that sum.

29-30 Vict., ch. 57, art. 11, parag. 3.

258. No execution issued and no judgment obtained against the proprietor, or the tenant or occupant, shall deprive the said corporation of the power of prosecuting and executing the judgment obtained for the payment of the said assessments, taxes, rates or other municipal dues, against either the said proprietor, tenant or occupant, if such payment cannot be obtained from that one of them who shall have been already sued in the matter.

29-30 Vict., ch. 57, art. 11, parag. 4.

259. Proprietors or persons in possession as proprietors of immoveable property within the said city shall, after the first day of May, one thousand eight hundred and seventy, be held and bound to pay all the assessments and water rates duly imposed thereafter on the said property.

33 Vict., ch. 46, art. 14, parag. 1.

260. If a proprietor or possessor of an immoveable property is domiciled without the limits of the city, the tenant or occupant shall be liable for all the taxes and water rates imposed upon the property, and such tenant or occupant shall have the right to deduct the same from the rent payable to the proprietor.

34 Vict., ch. 35, art. 22.

261. The municipal taxes imposed upon any lot of land may be claimed as well from the tenant, occupant or other person possessing such lot as from the owner, and from any person subsequently acquiring such lot, even when the tenant, occupant, possessor or acquirer is not entered on the valuation roll.

9 Geo. V., ch. 89, art. 9.

262. In the month following the expiration of any fiscal year, the proprietor, whose property has been vacant for the whole year, may obtain a refund, if he has vacant for the whole year, may obtain a refund, if he has paid, and if he has not, a reduction of the water-rates on such property, proportionate to the time it has been so unoccupied.

But this refund or reduction shall not include the part of such water-rate corresponding to the three cents in the dollar exacted on all property.

The application for the above refund or reduction shall be made by summary petition to the Recorder's Court, after one clear day's notice to the City Treasurer.

The words "vacant property" in this section mean property which is not occupied by any one and for which the proprietor has no tenant.

But in order to be entitled to such refund, it shall be necessary that the officers of the water-works' department of the city shall have turned off the water from such property on application to that effect; the proprietor must previously pay to the city one dollar for the cost of turning off the water each time it has been turned off.

63 Vict., ch. 52, art. 23.

263. "Nevertheless failure to demand the said refund within the delay above mentioned, shall not prevent the proprietor from making his claim during the eleven other months of the fiscal year, provided it be

proved that he was prevented from making such claim by irresistible force or for any other reason deemed valid by the Recorder's Court."

10 Geo. V., ch. 85, art. 3.

264. If the assessment on immoveables in the city is based on their real value instead of on their leasing value, the repayment or reduction of the water-tax shall be only in the proportion of three-eighths of one per cent.

3 Geo. V., ch. 53, art. 8.

265. It is further enacted that all the taxes, assessments or licenses thus imposed by the amendments made in this act to the acts of the incorporation of the city, shall be levied and collected only on the kind of business and other occupations mentioned in the second section of the By-law of the twenty-seventh April, 1866, and the owners of the real estate will not be responsible for the said taxes due by their tenants.

37. Vict., ch. 50, art. 14.

266. All assessments, taxes, rates, or other municipal due whatsoever payable to the corporation shall be privileged and payable, as regards those imposed upon immoveables, according to the rank given to taxes and assessments by article 2009 of the civil code, and, as regards the others, by article 1994 of the said code.

Such privilege, which need not be registered, shall extend to two years elapsed, in addition to the current year; and as regards immoveables, it shall affect only those upon which or with respect to which such assessments, taxes, rates, or other municipal dues, shall have been imposed; as regards moveables and effects, such privilege shall extend only to the moveables and effects owned by the debtor or being within the limits of the

city except when the debtor has transported them outside of the limits of the city.

51-52 Vict., ch. 78, art. 67.

267. The same moveables and moveable effects, which by law are security for the payment of the rent of an immoveable or part of an immoveable, shall be subject to the privilege of the city for the payment of every personal tax or business tax due to the city by reason of any business, trade or profession being exercised or carried on, in or upon such immoveable or part of an immoveable.

53 Vict., ch. 68, art. 34.

268. In case the assessment books for the current year are not made and completed at the period at which the said privilege shall be exercised or claimed, the corporation may demand for the current year, the assessment, taxes or other municipal dues entered against such debtor for the preceding year in the said books of assessment, and it shall be for the debtor to establish that, since the completion of the last books of assessment or the expiration of the fiscal year of the city, he has ceased to be liable for such assessment, taxes or other municipal dues or any of them.

29-30 Vict., ch. 57, art. 11, parag. 16.

269. That in all cases of separation as to property bettween husband and wife stipulated by marriage contract or existing by virtue of a judgment of a court of justice, whether such separation took place before or since the passing of the present act, in each and every case it will suffice to enter the name of the husband or that of the wife on the roll of assessments of the City of Quebec for the assessments, rates, taxes and personal taxes, and the water rates to be imposed on the moveable or immoveable property belonging to the wife so

separated as to property, and all judgments so rendered against the husband alone may be levied against the moveable or immoveable property of the wife, without the latter having a right to stay the execution of the judgment by any opposition based solely on the fact of such separation.

34 Vict., ch. 35, art. 21.

270. If any person, other than the proprietor, occupy a property exempt from assessments or taxes, the corporation may impose upon the said person an amount of assessments and taxes equal to the half of that which the corporation could impose upon the said property, if the same were leviable, and it shall also have the right to collect from the said person water rates to which like immoveable property in the city of Quebec is liable.

34 Vict., ch. 35, art. 24.

271. In the case of an immoveable held by a lessee under emphyteutic lease, the city assessors may enter, in the assessment and taxation books, the name of such holder and that of the direct owner of the property of which such immoveable forms part, and both shall, after the expiration of existing leases, in each case, be jointly and severally liable for the payment of the assessments and taxes imposed on such immoveable.

53 Vict., ch. 68, art. 33.

N.B.—This provision applies to the leases made after the 2nd April, 1890.

272. The action of the corporation for the recovery of any assessment, tax or other municipal due whatsoever shall be prescribed by the lapse of five years to be computed from the day on which such assessment, tax or municipal due shall have become due and payable.

29-30 Vict., ch. 57, art. 11, parag. 17, as amended by 31 Vict., ch. 33, art. 16.

273. All the provisions of the present act shall apply in like manner to the recovery of all special assessments or rates imposed by the Council of the said city, or by the Treasurer of the said city, and to the rate or tax for water furnished by the water-works of the said city.

29-30 Vict., ch. 57, art. 11, parag. 18.

274. Interest at the rate of six per cent shall be payable on all sums exigibl eb ythe corporation and not payable on all sums exigible by the corporation and not year, which interest shall be computed from the said first day of November until payment is fully made.

34 Vict., ch. 35, art. 20.

[Note.—According to By-law No. 242 of the City Council, of the 10th April, 1874, the water tax is declared to be payable on the first of November, thus rendering useless the amendment made by 36 Vict., ch. 55, art. 4].

EXEMPTIONS FROM TAXATION.

275. The property of any incorporated institution for education, or charitable purposes, occupied and used for educational or charitable purposes, and also all other property by such institution leased for the aforesaid purposes, or occupied as school houses by the School Commissioners of the said city, shall be exempt from taxation, and such houses or roperties so occupied are also exempt from tenants' tax.

29 Vict., ch. 57, art. 25.

276. All property belonging to or used specially for exhibition purposes by agricultural and horticultural societies shall be exempt from municipal and school taxes, subject nevertheless to **les travaux mitoyens.**

R. S. P. Q., art. 2733, 5927.

277. The assessors shall not have the power to assess or tax churches, chapels, and other edifices used for the purposes of religious worship, and cemeteries.

34 Vict., ch. 35, art. 25.

278. The Corporation may, if it deem advantageous, exempt, either in part or altogether, for a period not exceeding ten years, from municipal rates or taxes, individuals or corporate companies, who shall establish manufactories within the city, or shall increase those already in existence, and for the portion so charged, (should be enlarged). The corporation shall not be obliged to act uniformly, but shall, if deemed proper, decide each case on its own particular merits.

The Council may, by resolution, exempt the owners of the Chateau Frontenac hotel from municipal taxes, with the exception of the water rates and school taxes, for the period of ten years at the most, or make an agreement with them for an amount to be payable annually for a period not exceeding ten years, as commutation for all municipal taxes, provided the said amount shall not be less than that now levied by the City of Quebec upon the Chateau Frontenac hotel and the immoveables which the said owners may demolish for the purpose of enlarging the said hotel and dependencies.

7 Ed. VII., ch. 62, art. 33.

See also R. S. P. Q., art. 5922-5926, 5929-5931.

279. "If new manufactories or industries are established in the city, and do not compete with those already there, the exemption from taxes may be for a period of not more than twenty years."

1 Geo. V. (2nd session), ch. 59, art. 21.

280. The City Council is authorized to grant an exemption from all taxes, (school and water taxes ex-

cepted) to the Chateau Frontenac, for a period of ten years, on the proposed extension, and to fix the terms of such exemption.

10 Geo. V., ch. 85, art. 10.

281. Should the Great Northern Railway Company or any other company build a grain elevator in the City of Quebec, the city may exempt such company from municipal taxes in respect of such elevator, for a period not exceeding ten years; but such exemption shall not apply to the water tax nor to the school tax.

63 Vict., ch. 48, art. 5.

282. The owners of the grain elevator built on the Louise embankment in the city, heretofore belonging to the Canadian Pacific Railway Company, may be exempted from the imposition and payment of certain municipal taxes on such elevator for a period not exceeding ten years.

1 Ed. VII., ch. 42, art. 6.

283. If the Quebec Auditorium Company Limited, erects in the City of Quebec, the buildings necessary to carry out the objects of its charter, it shall be lawful for the Council of the said city to exempt the said company from the imposition and payment of certain municipal taxes, by reason of the property possessed by it and made use of for its enterprise, during a term not exceeding ten years; but such exemption shall not apply to the water rate nor to school taxes.

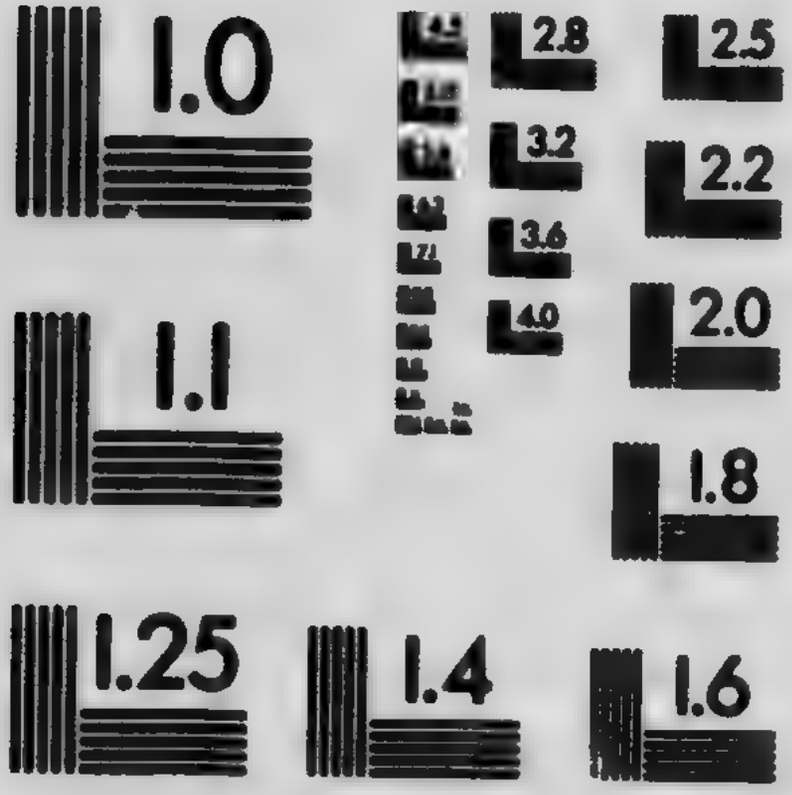
2 Ed. VII., ch. 48, art. 10.

284. The City of Quebec may agree with the Quebec Skating Rink for the annual payment of an amount to be muutally agreed upon in lieu of all taxes and water rates.

60 Vict., ch. 59, art. 7.

MICROCOPY RESOLUTION TEST CHART

(ANSI and ISO TEST CHART No. 2)



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285. City, town and village corporations, constituted under special or general acts, may, by By-laws passed for that purpose, aid, in conformity with the laws governing them, the establisment and maintenance of free public librari s in their municipalities, or in adjoining municpaltes and also grant, by such By-laws, smilar aid to library associations and mechanics' institutes, upon the conditions imposed by the corporation or the free use by the public of their libraries.

R. S. P. Q., art. 5933.

286. The City of Quebec is empowered to enter into an agreement with the Institut Canadien of Quebec, containing such conditions as may be agreed upon between the parties, to enable the said Institute to place its library and dependencies in the city hall and to exercise therein all the powers conferred by its charter, and to give the public free and gratuitous access to the said library and to the reading rooms of the said Institute, the Institute being obliged to make over to the city the lot of land designated as No. 2811 on the official cadastre of St. Louis Ward of the City of Quebec.

60 Vict., ch. 59, art. 6.

[N.B.—It is under the authority of this law that before the Notary, Joseph Allaire, a deed was passed, on the 17th April, 1897, by which the Institut Canadien has ceded to the city the lot of land above mentioned, and in virtue of which deed the Institute has now its library and establishment in the City Hall].

287. The contract between the City of Quebec and the Canadian Northern Quebec Railway Company and the Quebec and Lake St. John Railway Company dated the 21st day of October, 1912, before Joseph Allaire, Notary, respecting certain municipal assessments payable to the city by the said company, is declared valid.

3 Geo. V., ch. 53, art. 9.

FINANCES OF THE CITY.

288. The fiscal year shall commence on the first day of May and shall end on the thirtieth day of April in each calendar year, both days inclusive, and the assessments, rates, taxes and duties imposed and levied each year shall be held and considered as being for that period.

29 Vict., ch. 57, art. 37, parag. 1.

289. On or before the first day of April, in each year, the various committees of the Council shall make reports to the Finance Committee stating the various requirements of the civic service for the following year and the sums required to meet the same.

51-52 Vict., ch. 78, art. 56.

290. After having examined these various reports and suggestions of the said committees as well as the resources of the corporation, the Finance Committee shall prepare the estimates for the ensuing fiscal year and shall report thereon to the Council, suggesting the ways and means of defraying such expenses.

51-52 Vict., ch. 78, art. 57.

291. It shall be the duty of the Council of the said city to make every year, on or before the first day of May, an appropriation of the amounts necessary to meet the expenses of the year then next by providing:—

a. For the payment of the interest, and sums, required for the sinking fund on all the debt due by the said city;

b. For the general and ordinary expenses of the city;

c. For the sums required r contemplated improvements for which no special assessment is required;

d. For a reserve of not less than one per centum to meet unforseen expenditure.

29 Vict., ch. 57, art. 37, parag. 3; 6 Geo. V., ch. 43, art. 9.

292. The Council, before the first of May of each year, must impose, over and above the other revenues of the city, a tax sufficient to meet the expenses provided for by the budget for the following fiscal year, by adding five per cent to cover losses in collection.

The Council or a committee may not in any case authorize expenditure or the payment of a debt for an amount greater than that provided in the budget, and it is forbidden, under the penalties enacted by the city charter, for the Treasurer, the Auditor, the Mayor or any member of the Council t oauthorize, to permit or to make such payment.

In a case where, during the fiscal year, an appropriation is exceeded or an unforeseen debt must be paid, such payment cannot be effected unless it is authorized by a By-law of the Council, which at the same time levies a special tax to meet it. Such tax must be added any member of the Council to authorize, to permit or to at the same time.

If, at the end of a fiscal year, including April 30th, 1918, there be a deficit in the year's operations, a tax to pay such deficit shall be imposed before the 1st of July next following, to be collected at the same time as the assessment for the new year.

Any member of the Council who knowingly infringes the present provision, besides the other penalties provided by the charter, shall lose the right to his seat, which may be declared vacant by any competent tribunal, on proceedings by Quo Warranto.

Every year, during the month of May, the City Treasurer must transmit to the Minister of Municipal Affairs of the Province a sworn statement of receipts and expenses of the city for the preceding fiscal year, duly certified by the City Auditor.

During the fiscal year the city is authorized to make temporary loans to meet current expenses, provided the total amount does not exceed the amount appropriated or authorized.

8 Geo. V., ch. 83, art. 14.

293. Nothing in this Act shall affect the By-laws or conditions of annexation with neighboring municipalities with respect to the rate of taxes to be collected in the annexed territory.

8 Geo. V., ch. 83, art. 15.

294. If the amounts which should be voted in obedience to the Act 29 Victoria, chapter 57, section 37, subsection 3, and the Act 51-52 Victoria, chapter 78, section 58, could not be voted on or before the first of May, they may be voted after that date, and the By-law necessary for that purpose may also be passed after that day.

55-56 Vict., ch. 50, art. 3.

295. The total amount of the taxes for any civic or fiscal year shall not exceed two per cent of the assessed value of the property.

57 Vict., ch. 58, art. 9.

296. The Mayor and members of Council who shall have sanctioned the expending of any sum of money beyond the amounts appropriated and the amount at their disposal in conformity with the last mentioned subsections of this section, and the officer who shall pay the same shall be guilty of misdemeanor.

29 Vict., ch. 57, art. 37, parag. 12.

297. Every member of the Council who shall vote an appropriation otherwise than as above set forth shall be liable to a penalty of five hundred dollars, recoverable before the Recorder's Court in the name of any

elector of the city, and the amount thereof shall belong to the corporation, without prejudice to the personal responsibility hereinafter mentioned.

51-52 Vict., ch. 78, art. 59.

298. The City Treasurer shall not pay any sum of money to any one whomsoever without having a certificate from the City Auditor to the effect that there is an appropriation covering the amount so payable or that such sum is exigible directly under the law or under a judgment of a court of justice.

51-52 Vict., ch. 78, art. 60.

299. No debt contracted by the Council or by its officers and not covered by a duly voted appropriation, shall be recoverable from the corporation.

It can be recovered only from the officer or members of the Council who incurred it or authorized its being contracted.

If the Treasurer pays such debt out of the funds of the corporation he shall be personally liable for such amount towards the corporation.

51-52 Vict., ch. 78, art. 61.

300. Every municipal elector of the city may institute a suit against the City Treasurer, before any court of justice having jurisdiction for the amount claimed, for the recovery of any sum of money illegally paid by the Treasurer as aforesaid.

If the court condemns the Treasurer as aforesaid, the latter shall pay the amount or capital thereof to the corporation and the costs of suit to the person prosecuting.

51-52 Vict., ch. 78, art. 62.

301. The accounts of the corporation and of the

water-works shall be strictly under the control of the Treasurer.

51-52 Vict., ch. 78, art. 63.

302. But the City Treasurer may receive water-works debentures of which the payment is due, or coupons for interest due on the debentures, in payment of amounts due to the city as aforesaid, and the holder of these debentures in making such payment, shall inscribe his name upon the said debentures, and indicate the day, month and year in which such payment took place, and credit shall be given to the said Treasurer in his account with the corporation, for the interest so paid by him upon the said debentures, up to the day so indicated.

29 Vict., ch. 57, art. 37, parag. 24.

303. The standing or select committees of the corporation, shall not hereafter order or cause work to be done, nor expend money, nor take any initiative involving the expenditure of money.

29-30 Vict., ch. 57, art. 42, parag. 33.

304. The duties of the committees shall simply consist in ascertaining and making known to the Council the requirements of the civic service

29-30 Vict., ch. 57, art. 42, parag. 34.

305. The Finance Committee shall have the management of the finances and the accounts, and no sums of money except in cases with respect to which other provisions is made by law, shall be paid without the signatures of the Mayor, the Chairman and another member of the committee.

29-30 Vict., ch. 57, art. 42, parag. 35.

306. No debenture or cheque shall be payable or

valid until it has received the signature of the Mayor and the Treasurer.

29-30 Vict., ch. 57, art. 42, parag. 38.

307. The Treasurer shall deposit the money of the corporation in one or more of the chartered banks of the said city.

29-30 Vict., ch. 57, art. 42, parag. 39.

308. It shall be the duty of the Mayor to sue in the name of the corporation, for the recovery of all sums of money belonging to the corporation unlawfully expended by any officer thereof, and which the corporation shall have been obliged to pay by reason of any contract, promise or engagement, or written or verbal order, and the recovery of any such sum of money shall be used for against the officer or employee who shall have so unlawfully expended it or caused it to be expended.

29-30 Vict., ch. 57, art. 42, parag. 40.

309. On the occasion of agricultural or industrial exhibitions within or without the city, of public rejoicings, of demonstrations of a public and popular character, of receptions of foreign public bodies and of distinguished personages, or for the purpose of providing for public concerts in the public squares of the city or granting relief in cases of fire or other great calamity, it is lawful for the said Council, on a recommendation to that effect from the Finance Committee, to vote or authorize the expenditure of an amount not exceeding five thousand dollars in any one year, such sum to be taken from the fund reserved for unforeseen expenses.

The city is also authorized to vote a sum not exceeding ten thousand dollars on such conditions as it thinks proper, for the holding of an agricultural or industrial exhibition within or near the city limits.

1 Geo. V. (2nd session), ch. 59, art. 22.

310. The city is authorized to contribute to the establishment and maintenance of a court for young offenders as well as of a house of detention and house of industry for such young offenders and also to the payment of the staff required for such purpose.

1 Geo. V., (2nd session), ch. 59, art. 41.

311. The city shall not, however, bind itself in any manner to contribute to the confinement and maintenance of young offenders coming from any other municipality than that of Quebec.

1 Geo. V. (2nd session), ch. 59, art. 42.

312. If a hospital receiving a yearly subsidy from the government of this Province, be established in or near the City of Quebec, for the treatment of persons afflicted with tuberculosis or pulmonary tuberculosis, the City of Quebec may after resolution of its City Council to that effect, enter into a notarial contract with the proprietors of such hospital, by which the city shall bind itself to pay them a yearly grant not exceeding three thou[illegible]ive hundred dollars in such manner, on such con[illegible]nd for such period as may be determined by [illegible]lution and contract.

2 Geo. [illegible], ch. 55, art. 7.

313. The City of Quebec may, on a resolution of its Council to that effect, enter into a notarial contract with the proprietors of the Lake Edward Sanatarium, by which the city shall undertake to make it an annual grant of not more than two thousand dollars, in the manner and upon the conditions and for the term to be determined by the resolution or the contract.

2 Geo. V., ch. 55, art. 8.

314. The city is authorized upon resolution of its

Council to pay a sum of not more than six hundred dollars a year to an institution, to help foundings.

2 Geo. V., ch. 55, art. 9.

315. The city is also authorized to expend two thousand five hundred dollars a year to pay the nurse and the rent of La Ligue Antituberculeuse de Québec.

6 Geo. V., ch. 43, art. 16.

316. The City of Quebec is authorized to make a yearly grant not exceeding six hundred dollars to "L'Oeuvre de la Protection de la Jeune Fille."

2 Geo. V., ch. 55, art. 11.

317. The city is authorized to subscribe and pay an amount not exceeding one thousand five hundred dollars in aid of the erection in the city of a monument to the memory of General Montcalm who died on the field of honour in September, 1759, during the battle of the Plains of Abraham, near Quebec.

1 Geo. V. (2nd session), ch. 59, art. 5.

318. The City of Quebec is hereby authorized to pay an amount not exceeding five hundred dollars in aid of the erection of a monument in the city, to the memory of the Reverend Father F. Durocher, first parish priest of St. Sauveur de Québec.

2 Geo. V., ch. 55, art. 22.

319. The city is hereby authorized to pay an amount of five thousand dollars to La Société du Parler Français, to aid in the organization of a congress to be held by it in the city.

2 Geo. V., ch. 55, art. 14.

320. The City of Quebec is hereby authorized to pay an amount not exceeding one thousand dollars as

aid towards the erection of a monument to Sir Georges Etienne Cartier at the foot of Mount Royal, Montreal.

2 Geo. V., ch. 55, art. 23.

321. The city is authorized to pay the Hotel-Dieu du Sacré-Coeur an annual grant not exceeding five hundred dollars, and to the Hospice St. Antoine an annual grant not exceeding five hundred dollars. The city is authorized to pay to the Maison de la Providence, St. Malo, an annual grant not exceeding five hundred dollars.

4 Geo. V., ch. 72, art. 14.

322. The payment of the sum of ten thousand dollars for premiums of insurance on the lives of soldiers domiciled in Quebec who have gone to the war, is hereby ratified, and no members of the Council can be proceeded against for having voted such sum.

5 Geo. V., ch. 88, art. 16.

323. The payment of the sum of five thousand dollars to the Quebec branch of the Comité France-Amérique, to aid victims of the present European war, is hereby ratified, and no member of the Council can be proceeded against for having voted such sum.

5 Geo. V., ch. 88, art. 17.

324. The city is authorized to pay upon a resolution of the Council, a sum not exceeding five hundred dollars per annum to l'Orphélinat du Sacre-Coeur, in St. Sauveur, and to L'Institution du Patronage Laval, in St. Sauveur, and to the Hôpital St-François d'Assise, Domaine Lairet, respectively.

5 Geo. V., ch. 88, art. 20.

325. The city is authorized to order, by resolution of the Council, the yearly payment of an amount not ex-

ceeding two hundred and fifty dollars to St. Bridget's Home.

5 Geo. V., ch. 88, art. 21.

326. The payment of the sum of seven hundred and fifty dollars for five beds in the hospital of the municipalities of the Province of Quebec, in Paris, is ratified, and no member of the Council can be proceeded against for having voted that sum.

5 Geo. V., ch. 88, art. 22.

327. The city is authorized to pay a sum not exceeding three thousand dollars in aid of the erection of a monument to commemorate the three hundredth anniversary of the establishment of the Faith in Canada.

5 Geo. V., ch. 88, art. 25.

328. The city is authorized to pay, on a resolution of the Council, a sum not exceeding two hundred and fifty dollars annually to the Finlay Asylum and Ladies' Protestant Home respectively.

5 Geo. V., ch. 88, art. 26.

329. The city is authorized to pay, on a resolution of the Council, a sum not exceeding five thousand dollars to the organization known as the "Quebec Home Guard."

5 Geo. V., ch. 88, art. 27.

330. The payment of the sum of three thousand five hundred dollars to the Société de Patronage de l'Hôpital des Tuberculeux as a contribution from the city for the current fiscal year 1915-1916, towards the maintenance of such hospital, is hereby ratified.

6 Geo. V., ch. 43, art. 7.

331. The payment of the amount of fifteen hun-

dred dollars in aid of the Crèche is ratified, and no member of the Council shall be troubled through having voted such amount, and the Council is authorized to pay a similar amount yearly to the said institution.

6 Geo. V., ch. 43, art. 13.

332. The payment of the sum of fifteen hundred dollars in aid of the Pure Milk Supply (Goutte de Lait) is ratified, and no member of the Council shall be troubled for having voted such amount, and the Council is authorized to pay annually for the same work a sum of not more than three thousand dollars.

6 Geo. V., ch. 43, art. 14.

333. The city is authorized, by resolution of the Council, to pay an amount not exceeding one thousand dollars to l'Association d'Education Canadienne Française, de l'Ontario.

6 Geo. V., ch. 43, art. 14.

334. "The city is authorized to contribute an amount not exceeding twenty thousand dollars annually to the maintenance of the Quebec Technical School.

5 Geo. V., ch. 88, art. 23.

335. The city may, on resolution of the Council, guarantee the debentures issued by the school corporations situated within its limits and accept as a guarantee of the responsability thus contracted a transfer of the taxes to be levied by the said corporations to the amount required in principal and interest.

1 George V., ch. 47, art. 7.

336. The school taxes collected by the city shall be deposited in a chartered bank, as they are collected, in a special account opened for the purpose, and shall be withdrawn only to be handed over to the school commission entitled thereto.

7 Geo. V., ch. 59, art. 14.

LOANS.

337. The Council of the City of Quebec may adopt such measures as it may deem expedient for the purpose of calling in the current bonds of the City of Quebec, either by redeeming them for cash, or by exchanging them for new bonds.

55-56 Vict., ch. 50, art. 15, parag. 1.

338. The Council is authorized to obtain, by means of a loan, a sum not exceeding the amount required for redeeming the whole of the present or future debt of the city, and, for that purpose, to issue a sufficient amount of new bonds bearing an annual interest not exceeding four per cent., and to dispose of the same, on conditions as it may deem most favorable.

55-56 Vict., ch. 50, art. 15, parag. 2.

339. It may determine the denomination of such bonds, the currency (pounds sterling, dollars or francs) in which they shall be made payable, and the period and method of their redemption.

55-56 Vict., ch. 50, art. 15, parag. 3.

340. It may also enact that such bonds shall be issued for a period not exceeding sixty-five years, at the periods fixed by the Council; or that they shall be payable by a certain number of yearly payments not exceeding sixty-five, or of half-yearly payments, not exceeding one hundred and thirty.

55-56 Vict., ch. 50, art. 15, parag. 4.

341. It may stipulate and order that such new bonds shall or shall not have a sinking fund.

55-56 Vict., ch. 50, art. 15, parag. 5.

342. The said bonds or the proceeds thereof shall be exclusively devoted to the redemption or conversion

of bonds then due by the city, as well as to the necessary expenses incurred in effecting such conversion.

55-56 Vict., ch. 50, art. 15, parag. 6.

343. The Council is empowered to effect the conversion of the present debt of the city, by exchanging new debentures for the old ones, to effect such exchange at the rate of premium which may be agreed upon with the holders thereof, and, if necessary, to grant a discount upon the new bonds equal to their cash value.

55-56 Vict., ch. 50, art. 15, parag. 7.

344. The bonds, issued under this act, shall bear the seal of the city, and be signed by the mayor and countersigned by the clerk and the treasurer of the City of Quebec.

They shall be registered in a book kept for the purpose by the accountant of the city, who shall initial each of them, to establish the registration.

To each of such bonds, interest coupons shall be attached, with the City Treasurer's signature thereon, which coupons shall be payable to the holders of such bonds when the instalment of interest represented by them become due.

No payment of any such coupons can be required of the corporation, unless the same be delivered to it; and the possession of such coupons by it shall be **primâ facie** evidence that it has paid the same.

55-56 Vict., ch. 50, art. 15, parag. 8.

345. Instead of bonds, the Council may, in its discretion, issue consolidated registered stock, and may adopt measures for issuing the same and provide for the payment and maintenance thereof for a term not exceeding sixty-five years; and the powers conferred upon the said Council by section 15 of the act 55-56 Victoria,

chapter 50, to negotiate bonds of the city, shall apply equally to the said consolidated registered stock.

59 Vict., ch. 47, art. 29.

346. Notwithstanding any provision of any previous law to the contrary, when, in future, the city shall issue bonds or debentures to which interest coupons shall be attached, the signature of the City Treasurer on such coupons may be stamped, lithographed or printed thereon.

This provision shall also apply to the debentures, the issue whereof may have been previously authorized.

57 Vict.; ch. 58, art. 10.

347. The City of Quebec is hereby authorized to borrow an amount of four hundred thousand dollars, two hundred thousand dollars of which being for the pay nent of the cost of the permanent works to be done in Limoilou ward, comprising the former municipality of the town of Limoilou, now annexed to the City of Quebec; seventy-two thousand dollars for paving St. Andrew's street; twenty thousand dollars for the acquisition of certain lands or servitudes of lands along the river St. Charles, above the dam of the city waterworks, in the parish of St. Ambroise, and to reimburse itself for the sum already paid for such object; fifteen thousand dollars to reimburse itself for the cost of the permanent works and retaining walls on Côte d'Abraham street, and for the compensation and damages paid in connection with such works, and ninety-three thousand dollars for other permanent improvements and works in the city.

1 George V., ch. 47, art. 1.

348. The sum of two hundred thousand dollars which the city is authorized to spend for permanent works in the new Limoilou ward, may be spent accord-

ing to the terms and conditions presented in a report of the Finance Committee of the city, dated the 21st of April, 1910, and passed by the Municipal Council of the said city on the 29th day of April, 1910.

1 George V., ch. 47, art. 2.

349. For the effecting of such loan, the city is authorized to issue bonds as it may deem necessary for the objects above set forth; the said bonds shall be for such amount as the city may deem advisable, and shall be payable within a period not exceeding fifty years from their date, with interest at a rate not exceeding four per cent per annum.

1 George V., ch. 47, art. 3.

350. The city shall provide for the payment of such bonds, either by paying on the principal of such bonds, every six months or every year ,at its option, an amount sufficient to pay off the principal of each such bond at maturity, or by establishing a sinking fund in such manner as it may deem advisable. Such sinking fund shall not be for any other purpose than the payment of the said bonds.

1 George V., ch. 47, art. 4.

351. The city is authorized to borrow an amount not exceeding five hundred thousand dollars in exercise of the powers granted under the authority of the Act 7, Edward VII, chapter 62, sections 35 and 36. (See art.461 and 462 hereafter. Article 36 has been replaced by 8 Ed. VII., ch. 83, art. 4). The said loan to be made in accordance with section 3 (art. 349 heretofore) of this act.

1 George V., ch. 47, art. 5.

352. The City of Quebec is authorized to borrow an amount not exceeding five hundred thousand dollars,

whereof four hundred thousand dollars shall be for paving streets, for sidewalks and permanent works in streets and public places and other permanent works,— except as provided by the Act 1 George V., chapter 47, respecting the making of permanent and uniform sidewalks—and one hundred thousand dollars for building or aiding the building of bridges over the River St. Charles in the city, in addition to the one hundred and fifty thousand dollars it has already been authorized to borrow for such purpose by section 30 of the Act 1 George V., chapter 47.

1 Geo. V., (2nd session), ch. 59, art. 1.

353. The City of Quebec is authorized to borrow a sum of not more than five hundred thousand dollars for the construction of a new main pipe for its waterworks from its water tower at Lorette to Quebec.

1 Geo. V., (2nd session), ch. 59, art. 2.

354. For the effecting of such loans, the city is authorized to issue bonds as it may deem necessary for the objects above mentioned, which bonds shall be for such amount as the city may think proper and they shall be payable within a period not exceeding fifty years from their date, with interest at a rate not exceeding four per cent per annum.

1 Geo. V., (2nd session), ch. 59, art. 3.

355. The city shall provide for the payment of such bonds, either by paying on the principal of such bonds every six months or every year, at its option, an amount sufficient to pay off the principal of each such bond at maturity, or by establishing a sinking fund in such manner as it may deem advisable. Such sinking fund shall not be used for any other purpose than the payment of such bonds.

1 Geo. V., (2nd session), ch. 59, art. 4.

356. The City of Quebec is hereby authorized to borrow an amount not exceeding four hundred thousand dollars; two hundred and fifty thousand dollars of such amount being to pay the cost of the permanent paving of the streets and of permanent sidewalks and of other permanent works in the streets and squares, and one hundred and fifty thousand dollars being for the building and repairing of fire stations and for the equipment and re-organization of its fire brigade.

2 Geo. V., ch. 55, art. 1.

357. For the effecting of such loan, the city is authorized to issue bonds or registered stock, as it may deem necessary, for the aforesaid purposes, which bonds or registered stock, shall be for such amount as the city may deem expedient and shall be payable within a period not exceeding fifty years from their date with interest at a rate not exceeding four per cent per annum.

2 Geo. V., ch. 55, art. 2.

358. The city shall provide for the payment of such bonds or registered stock, either by paying upon the principal thereof half-yearly or every year, at its option, an amount sufficient to pay the principal of every bond or all the registered stock at maturity, or by establishing a sinking fund in such manner as it may deem advisable. Such sinking fund shall be used solely for the payment of such bonds or registered stock.

2 Geo. V., ch. 55, art. 3.

359. The City of Quebec is hereby authorized to borrow an amount not exceeding nine hundred and fifty thousand dollars; two hundred and fifty thousand dollars of which amount being to pay the cost of the permanent paving of the streets and of the sidewalks and other permanent works in the streets and squares; two hundred and fifty thousand dollars to provide for the

cost of construction of the new main pipe of its waterworks already authorized by the act George V, (2nd session) chapter 59, sections 2, 3 and 4, and to pay the cost of laying pipes to replace the pipes previously laid for the said waterworks and which are now insufficient; one hundred thousand dollars to build and repair fire-stations and to equip and re-organize the fire brigade; seventy-five thousand dollars to finish the Dorchester and Drouin bridges over the river St. Charles and to purchase grounds for the approaches to the said bridges; seventy-five thousand dollars to provide for the building of a civic hospital and a morgue, including the cost of the site for the same; one hundred thousand dollars for works in connection with the waterworks, drainage and roads in the portion of Limoilou ward of the city were such improvements do not already exist; and one hundred thousand dollars to acquire land within or without the city, if the latter deem the same advantages, and to alienate the same wholly or partly for the building of industrial or manufacturing establishments only, on such conditions as may be determined by the City Council.

3 George V., ch. 53, art. 1.

360. For the effecting of such loans, the city is authorized to issue bonds or registered stock as it may deem necessary for the aforesaid purposes, which bonds or registered stock shall be for such amount as the city may deem expedient and shall be payable within a period not exceeding fifty years from their date, with interest not exceeding four and a half per cent per annum.

3 Geo. V., ch. 53, art. 2.

361. With respect to the loans which the City of Quebec has already been authorized by the Legislature to effect, and for which it has not yet issued bonds or registered stock, it may, when affecting such loans or

portions thereof, bind itself to pay interest thereon at a rate not exceeding four and a half per cent.

3 Geo. V., ch. 53, art. 3.

362. The city shall provide for the payment of such bonds or registered stock, either by paying upon the principal thereof, half yearly or every year at its option, and amount sufficient to pay the principal of every bond or all the registered stock at maturity, or by establishing a sinking fund in such manner as it may deem advisable. Such sinking fund shall be used solely for the payment of such, bonds or registered stock.

3 Geo. V., ch. 53, art. 4.

363. The city is authorized to borrow a sum of money not exceeding one hundred and fifty thousand dollars to pay the cost of improvements already made and of others to be made on the exhibition grounds held by it, for the erection of a stand on the said grounds and other permanent improvements, the cost whereof shall be authorized by the City Council.

4 Geo. V., ch. 72, art. 1.

364. The City of Quebec is hereby authorized to borrow an amount not exceeding one hundred and twenty-five thousand dollars for works of a permanent nature and for the erection of ornamental posts for lighting the streets and public places in the city; and an additional amount not exceeding one hundred thousand dollars for works of a permanent nature in the city, of which at least fifty thousand dollars shall be spent in Limoilou ward.

4 Geo. V., ch. 72, art. 2.

365. For the effecting of such loans, the city is authorized to issue bonds or registered stock as it may deem necessary for the aforesaid purposes, which bonds

or registered stock shall be for such amount as the city may deem expedient, and shall be payable within a period not exceeding fifty years from their date, with interest not exceeding four and a half per cent per annum, not including the costs of floating the loan, and the discount.

4 Geo. V., ch. 72, art. 3.

366. When the City of Quebec issues bonds or certificates of registered stock for the purpose of withdrawing its bonds in circulation, either by redeeming them in cash or by exchanging them for new bonds; or for the redemption of its present or future debt or any portion thereof; it may decide that the bonds so issued shall bear interest at a rate not exceeding four and one half per cent., notwithstanding the provisions of section 15 of the act 55-56 Victoria, chapter 50.

4 Geo. V., ch. 72, art. 4.

367. The city shall provide for the payment of the bonds or registered stock, the issue whereof is authorized as above set forth, either by paying upon the principal thereof, semi-annually or annually at its option, an amount sufficient to pay the principal of every bond or all the registered stock at maturity, or by establishing a sinking fund in such manner as it may deem advisable. Such sinking fund shall be used solely for the payment of such bonds or registered stock.

4 Geo. V., ch. 72, art. 6.

368. The City of Quebec is rereby authorized to borrow an amount not exceeding seven hundred thousand dollars, of which amount tnree hundred and fifty thousand dollars shall be used to pay the cost of the following, namely: (a) the purchase of land on the river St. Charles, ten thousand dollars; (b) widening of Palace street, thirty-seven thousand dollars; (c) Dufferin Ter-

race, seventy-five thousand dollars; (d) widening St. Paul street, eleven thousand three hundred dollars; (e) paving St. Paul street, sixteen thousand dollars; (f) permanent works in Limoilou, St. Malo, and other parts of the city, one hundred and fifty thousand seven hundred dollars; (g) permanent sidewalks, fifty thousand dollars; for completing Dorchester bridge, fifty thousand dollars; for re-building Bickell's bridge, one hundred and twenty-five thousand dollars; for completing the civic hospital, fifty thousand dollars; for fulfilling the obligations in connection with the annexation of Montcalmville, one hundred and five thousand dollars; for the subscription to the Canadian Patriotic Fund, twenty thousand dollars.

5 Geo. V., ch. 88, art. 1.

369. For the effecting of such loan, the city is authorized to issue bonds or registered stock as it may deem necessary for the aforesaid purposes, which bonds or registered stock shall be for such amount as the city may deem expedient, and shall be payable within a period not exceeding fifty years from their date, with interest not exceeding four and one-half per cent per annum, not including the cost of floating the loan and the discount.

5 Geo. V., ch. 88, art. 2.

370. The city may provide for the payment of the bonds or registered stock certificates the issue whereof is authorized as aforesaid, either by paying, on the capital of such bonds or registered stock certificates, half-yearly or every year at its option, a sufficient amount so that the capital will be paid up at the maturity of each bond or certificate, or by establishing a sinking fund in such manner as it may deem advisable; such

sinking fund shall not be used for any other purpose than the payment of such bonds or registered stock.

5 Geo. V., ch. 88, art. 8.

371. The City of Quebec is hereby authorized to borrow an amount not exceeding four hundred and seventy-five thousand dollars, to pay the cost of the following, namely:

(a). One hundred thousand dollars to pay for completing the forty-inch water main and other permanent works in connection with the waterworks;

(b). Twenty-five thousand dollars in aid of the establishment of a tuberculosis hospital within the city of Quebec, or in its vicinity, on the express condition that the Provincial Government shall subscribe a similar amount for the said hospital;

(c). One hundred thousand dollars for permanent works in Belvedere ward, seventy thousand dollars whereof shall be for the construction of St. Louis Boulevard, and the balance for paving Ste. Foye Road, and for other permanent works in such ward;

(d). One hundred and fifty thousand dollars for permanent works in the other wards of the city;

(e). Fifty thousand dollars for permanent sidewalks;

(f). Fifty thousand dollars for the plant required by the roads department, twelve thousand dollars whereof shall be for an asphalt plant.

6 Geo. V., ch. 43, art. 1.

372. For effecting such loan the city may declare, by resolution, that such loan shall be payable within a short term of not less than two years nor more than five years, and at such rate of interest as the Council may determine, and without a sinking fund.

6 Geo. V., ch. 43, art. 2.

373. In addition to the method of borrowing mentioned in section 2, the city is authorized, for the purpose of effecting such loan, to issue bonds, or certificates of registered stock, as it may deem necessary, for the objects above mentioned; such bonds or registered stock certificates shall be for such amount as the city may deem advisable, and shall be repayable within a period of not more than fifty years from their date, with interest at a rate of not more than five per cent per annum, not including the cost of the loan and discount.

6 Geo. V., ch. 43, art. 3.

374. The city shall provide for the payment of the bonds or registered stock certificates, the issue whereof is authorized by section 3, either by paying on the capital of the said bonds or registered stock certificates, half-yearly or every year, at its option, a sufficient amount so that the capital will be paid up at the maturity of each bond or certificate, or by establishing a sinking fund in such manner as it may deem advisable; such sinking fund shall not be used for any other purpose than the payment of such bonds or registered stock certificates.

6 Geo. V., ch. 43, art. 4.

375. The City of Quebec is hereby authorized to borrow the following amounts, to wit:

(a). Three hundred and fifty-seven thousand nine hundred and seventy-two dollars and forty-five cents, for the purpose of reimbursing to the bank of Montreal a like amount drawn for the purposes mentioned in schedule A;

(b). One hundred thousand dollars for permanent works on the exhibition grounds;

(c). Fifty thousand dollars for permanent sidewalks;

(d). Two hundred and thirty thousand dollars for

permanent works in the city, thirty thousand dollars being for the extension of Lockwell street;

(e). Fourteen thousand one hundred and fifty-six dollars and two cents, for expenses occasioned by the war;

(f). Twenty thousand dollars as a subscription to the Patriotic Fund;

(g). Three thousand dollars as a subscription to the Louis Hébert monument;

(h). Five thousand dollars, which shall be paid to the Quebec Citizens' Recruiting Association in aid of military recruiting.

7 Geo. V., ch. 59, art. 1.

376. For effecting such loan the city may declare, by resolution, that such loan shall be repayable within a short term of not less than two years nor more than fifteen years, and at such rate of interest as the Council may determine, and with a sinking fund of not less than two per cent per annum.

7 Geo. V., ch. 59, art. 2.

377. In addition to the method of borrowing mentioned in section 2, the city is authorized, for the purpose of effecting such loan, to issue bonds or certificates of inscribed stock, as it may deem necessary, for the objects above mentioned, such bonds or stock certificates shall be for such amounts as the city may deem advisable, and shall be repayable within a period of not more than fifty years from their date, with interest at a rate of not more than five per cent per annum, not including the cost of the loan and discount.

7 Geo. V., ch. 59, art. 3.

378. The city shall provide for the payment of the bonds or inscribed stock certificates, the issue whereof is authorized by section 3, either by paying on the capi-

tal of the said bonds or inscribed stock certificates, half-yearly or every year, at its option, a sufficient amount so that the capital will be paid up at the maturity of each bond or certificate, or by establishing a sinking fund in such manner as it may deem advisable; such sinking fund shall not be used for any other purpose than the payment of such bonds or inscribed stock.

7 Geo. V., ch. 59, art. 4.

379. The City of Quebec is hereby authorized to borrow an amount not exceeding four hundred and seventy-nine thousand and eighty-eight dollars and forty-four cents, to pay the cost of the following, to wit:

(a). Seventy-nine thousand eight hundred and thirteen dollars and forty-four cents, to meet the debentures maturing in January, 1918;

(b). One hundred thousand dollars, to provide for the payment of the City of Quebec's subscription to the Patriotic Fund;

(c). Twelve thousand nine hundred and forty-three dollars and ninety-five cents, to replace the amount paid for damages in settlement of the suit against the city by Lemoine & Sons, contractors for the Drouin bridge;

(d). Eighteen thousand eight hundred and thirty-five dollars, to pay the amounts held back on contracts for public works, becoming repayable in 1918;

(e). Sixty-six thousand nine hundred and ninety-six dollars and five cents, to cover the overdrawn account at the Bank of Montreal on the 30th of April, 1916;

(f). Fifty thousand dollars, for permanent works for the waterworks department;

(g). Sixty-six thousand dollars, for permanent works for the roads department;

(h). Thirty-four thousand five hundred dollars, for permanent works on the exhibition grounds;

(i). Fifteen thousand dollars, for permanent sidewalks;

(j). Ten thousand dollars, for improvements and additions to the fire brigade service and apparatus;

(k). Five thousand dollars, to pay to the estate of Miss M. A. McAdams, the amount of a hypothec on a property acquired by Montcalmville, now Belvedere ward;

(l). Twenty thousand dollars, to repay a temporary loan contracted to give aid to the sufferers from the Halifax disaster.

8 Geo. V., ch. 83, art. 1.

380. For effecting such loan, the city may declare, by resolution, that such loan shall be repayable within a short term of not less than two nor more than fifteen years, and at such rate of interest as the Council may determine, with a sinking fund of not less than two per cent per annum.

8 Geo. V., ch. 83, art. 2.

N.B.—Articles 3 and 4, 8 Geo. V., ch. 38, are in the same terms as articles 377 and 378, previously mentioned.

381. The city of Quebec is hereby authorized to borrow an amount not exceeding two hundred and seventy-nine thousand seven hundred and two dollars and sixty-three cents, to pay the cost of the following, namely:

(a). Forty-nine thousand seven hundred and two dollars and sixty-three cents, to pay the amounts subscribed for war purposes and damages caused by the riots;

(b). Ten thousand dollars to meet the expenses occasioned by the influenza epidemic;

(c). Twenty thousand dollars for permanent works for the waterworks department;

(d). Two hundred thousand dollars for the permanent works in the roads department, seventy thousand dollars whereof for the Beauport road, fifty-five thousand dollars for the Charlesbourg road, six thousand dollars for widening St. Valier street, and the balance for permanent works in the city streets.

9 Geo. V., ch. 89, art. 1.

382. For effecting such loan, the city may declare, by resolution, that such loan shall be repayable within a short term of not less than two nor more than fifteen years, and at such rate of interest as the Council may determine, with a sinking fund of at least two per cent per annum.

9 Geo. V., ch. 89, art. 2.

383. In addition to the method of borrowing mentioned in section 2, the city is authorized, for the purpose of effecting such loan, to issue bonds or certificates of inscribed stock, as it may deem necessary, for the objects above mentioned; such bonds or stock certificates shall be for such amounts as the city may deem advisable, and shall be repayable within a period of not more than thirty years from their date, with interest at such rate as the Council may fix, not including the cost of the loan and discount.

9 Geo. V., ch. 89, art. 3.

N.B.—Article 4 of 9 Geo. V., ch. 89 is in the same terms as article 378 previously mentioned.

384. The city is authorized to effect, from time to time, one or more special loans to constitute a working capital to provide for current expenses in anticipation of the ordinary revenue of the current fiscal year, and which shall be repaid out of the same. The total amount so borrowed in any one year shall not exceed fifty per cent of the ordinary revenue of the previous year.

The city is also authorized to effect from time to time, one or more special loans for sums not exceeding the amount of the bonds which the city is authorized by the Legislature to issue, in anticipation of the proceeds of the sale of such debentures. The amount or amounts so borrowed shall be used exclusively for the purposes for which the issue of such bonds was authorized; and they shall be repaid out of the proceds thereof as soon as they are sold.

The loan or loans provided for by this section must be effected by means of treasury bills bearing a serial number, and signed by the Mayor and the Treasurer.

When any such Treasury Bill is issued, a certificate of such issue shall be recorded in a special register, kept under the Treasurer's supervision, signed by him and stating the serial number, date, terms and amount of such bill, as well as the fund out of which it is to be repaid."

5 Geo. V., ch. 88, art. 8.

385. Notwithstanding the provisions of the law, when the city is authorized to effect a loan, it may declare by resolution that such loan shall be repayable within a short date, not less than two nor more than five years, at such rate of interest as the Council may fix; but this section shall not apply to Treasury Bills.

5 Geo. V., ch. 88, art. 19.

386. Notwithstanding any provision of law to the contrary, when the city is called upon to repay the short term loans authorized by the Acts 5 George V., chapter 88, section 1; 7 George V., chapter 59, section 1, and 8 George V., chapter 83, section 1, it may, by resolution of the Council, repay such loans by other loans to the amount of the balance due on each of them, deducting the amount of the accumulated sinking fund repayable within a short term, of not less than two years nor more

than ten years, at such rate of interest as the Council may fix, with a sinking fund of not less than two per cent.

9 Geo. V., ch. 89, art. 6.

387. Notwithstanding the provisions of section 6 of the Act 9 George V., chapter 89, when the city is called upon to repay the short term loans authorized by the acts 4 George V., chapter 72, sections 1, 2 and 5 George V., chapter 88, section 1, it may, by resolution of the Council, repay such loans by other loans to the amount of the balance due on each of them, after deducting the amount of the accumulated sinking fund, repayable within a short term, of not less than two years nor more than ten years, at such rate of interest as the Council may fix, with a sinking fund of not less than one per cent.

10 Geo. V., ch. 85, art. 5.

BY-LAWS OF THE CITY.

POWERS OF THE COUNCIL RESPECTING THEIR PASSING.

388. In all cases where the City Council is authorized to do or to decide upon anything, it may do or decide upon the same by resolution, unless the law expressly requires the passing of a By-law in such case.

63 Vict., ch. 48, art. 8.

389. One-half of the members of the Council must be present at a meeting for the passing of a By-law.

8 Geo. V., ch. 83, art. 8.

390. The Council may, at any of its meetings at which the absolute majority of its members are present, pass By-laws for the following purposes:

8 Geo. V., ch. 83, art. 7.

391. For the good order, peace, security, comfort, improvement, cleanliness, internal economy and local government of the said city; for the prevention and suppression of all nuisances, and of all acts, matters and things in the said city, opposed, contrary or prejudicial to the order, peace, comfort, morals, health, amelioration, cleanliness, internal economy or local government of the said city.

29 Vict., ch. 57, art. 29, parag. 1, No. 2.

[N.B.—Every municipal council may render obligatory the vaccination and revaccination, in the limits of its locality, and make By-laws for that purpose].

R. S. P. Q., art. 3958-3966.

392. For imposing an additional tax of five cents in the pound on the annual value or rent of real property, upon the proprietors and tenants of those parts of the city, in which at least two-thirds of such proprietors and tenants shall ask for the imposition of such tax to defray the expenses of watering, sweeping or taking away the snow from such place or street.

29 Vict., ch. 57, art. 29, parag. 2.

393. The Council of the city may make By-laws to declare that the city shall undertake to remove snow or ice from its streets or from some of the said streets or from certain portions of the said streets as well as from the sidewalks of such streets or parts of streets; to compel the persons obliged to remove such snow or ice to repay to the city the actual cost of the removal of such snow or ice by the city, after deducting what has to be paid by the Quebec District Railway Company or any other electric tramway company on such streets as are traversed by such railway or electric tramway, and to regulate the manner of recovering and collecting the expense incurred by the city for that object.

61 Vict., ch. 52, art. 19.

DAMAGES BY MOBS.

394. For imposing a special tax upon proprietors of real property in the said city, in order to pay the damages which any mob, or tumultous assemblages of persons disturbing the peace of the city, shall have caused to any private property; and if such By-law shall not be passed within six months following the day on which such damages or injury shall have been so occasioned, the person so injured shall have a right of action against the said corporation.

29 Vict., ch. 57, art. 29, parag. 3.

MARKETS.

395. For changing the sites of markets and market places, and to establish others, and to abolish the said markets and market-places, as well as the market halls thereon erected.

50 Vict., ch. 57, art. 14.

396. For regulating the powers of the clerks of the markets, and everything relating to the markets.

29 Vict., ch. 57, art. 29, parag. 5.

397. For preventing the purchase and sale, by any person whomsoever, of any produce or provisions, meat, fowls or other article whatsoever, intended for the public markets of the said city, in or upon any street or public place, or any yard, house or building, or any other place whatsoever in the said city, in which farmers or other persons coming to the said markets, deposit or store their produce, provisions, meats, fowls or other articles or effects whatsoever, before bringing them to the said markets; or on the wharves or on the steamboats or other craft whatsoever, lying beside the wharves of the said city, and in which the produce, provisions, meat or other articles or effects whatsoever are

brought in ordre to be sold on the markets of the said city.

29 Vict., ch. 57, art. 29, parag. 6.

PUBLIC HEALTH.

398. To regulate disinterments which shall be effected under the directions and control of the person or persons appointed with the concurence of the Council, by the Police Committee of the corporation.

29 Vict., ch. 57, art. 29, parag. 10.

399. To prevent the establishment of new burial grounds within the city limits; preventing burials in the said city, and closing cemeteries therein, on payment of a reasonable indemnity to the parties interested.

29 Vict., ch. 57, art. 29, parag. 11.

400. No one may establish general abbattoirs in the City of Quebec without the express consent of the City Council.

4 Geo. V., ch. 72, art. 20.

401. To conspicuously placard in the manner prescribed by the Council every house found to be unsanitary and dangerous by the Municipal Board of Health.

9 Geo. V., ch. 89, art. 7.

402. To define and regulate the duties, powers and attributions of the health officers, in all matters pertaining to cleanliness, in the said city, and the health of its inhabitants.

38 Vict., ch. 74, art. 8, parag. 1.

403. To compel the superintendent of any cemetery in the city, or in any of the adjoining municipalities, to make and deliver to the corporation of the said city, regular returns of all persons buried in such cemetery,

and to regulate the manner and form in which such returns may be made, to enact that in all cases of death occurring in the said city, the attending physician, or (in case no physician shall have attended the deceased), a member or friend of the family of the deceased, shall within such time, and under such penalty, as the said Council may determine, furnish to such superintendent, a certificate signed by such physician, member or friend, stating the age, birth-place, date, place of death, and the nature of the disease by which deceased came to death; and also, to provide such other means of obtaining correct and reliable statements or information in reference to the mortality and its causes in the said city, as the said Council may deem necessary.

38 Vict., ch. 74, art. 8, parag. 2.

WEIGHTS AND MEASURES.

404. For regulating the weighing or measuring of firewood, coal, salt, grain and lime.

29 Vict., ch. 57, art. 29, parag. 12.

405. To regulate the weight and quality of bread, with the right of declaring forfeited, and forfeiting, all bread of light weight or of bad quality.

29 Vict., ch. 57, art. 29, parag. 13.

N.B.—In virtue of 7 Geo. V., ch. 59, art. 11, the act 1 Geo. V. (second session), chapter 40, does not apply to the City of Quebec.

ACCIDENTS BY FIRE.

406. The Council may make By-laws for preventing accidents by fire.

29 Vict., ch. 57, art. 29, parag. 14.

407. To impose a fine not exceeding two hundred dollars or six months imprisonment, in default of the payment of the fine and costs, or six months without

option of a fine at the discretion of the recorder, in the case of the condemnation of a person found guilty of having attempted to give or having given a false fire alarm.

5 Geo. V., ch. 88, art. 5.

408. For governing and controlling all persons present at fires; and establishing fire companies for the protection of property.

29 Vict., ch. 57, art. 29, parag. 15.

409. To use to be demolished and removed all buildings an ences which shall be deemed necessary to be demol d, or taken down, in order to arrest the progress of y fire.

29 Vict., ch. 57, art. 29, parag. 18.

410. To prevent thefts and depredations at fire.

29 Vict., ch. 57, art. 29, parag. 19.

411. To punish any person who shall maltreat any member or officers, or employé of the said Council, in the execution of his duty, or who shall resist, interfere with, or prevent him from executing the same.

29 Vict., ch. 57, art. 29, parag. 20.

412. To pay any sums necessary to indemnify or to assist by an annual allowance, not in any case to exceed fifty dollars, any person who shall have been heretofore or shall be hereafter a member of a fire company or of the police force of the said city, who shall have received or shall receive in the performance of his duties as such, a wound, or contract or have contracted any disease rendering him unable to provide for his support either in whole or in part, or the family (the wife or children) of any such person who shall have lost his life in the performance of his duties aforesaid; and the

Council shall by such By-law determine the period during which such allowance shall be paid.

29-30 Vict., ch. 57, art. 15.

413. The said Council may also prescribe or regulate the manner in which houses or buildings shall be erected, in order to prevent accidents by fire, and may regulate the construction, dimensions and height of chimneys, and specially in the cases of houses or buildings erected above other houses or buildings which they may adjoin, by whom, at whose expense, in what manner, to what height, and within what time, the chimneys of the less elevated houses and buildings shall be raised so as not to endanger the adjoining or neighboring houses.

29 Vict., ch. 57, art. 29, parag. 23.

414. And may punish infringement of any provision of such By-law, by a fine not exceeding forty dollars for each day such infringement shall continue; and every such day shall constitute a distinct and separate offence, and shall be prosecuted as such.

29-30 Vict., ch. 57, art. 16.

415. For ordering that no building can be commenced within the city before the plans of such buildings have been submitted to the city inspector and approved by him, in so far only as the public health and safety are concerned.

53 Vict., ch. 68, art. 25, parag. 4.

416. To regulate the height, construction and materials of all buildings, chimneys, stacks and other structures; to prevent the construction of such as are not of the required stability, and provide for their summary abatement or destruction; to prescribe the depth of cellars and basements, the material and methods of con-

struction of foundation and foundation walls, the manner of construction and location of drains and sewer pipes, the thickness, materials and construction of party walls, partition and outside walls, size and materials of floor beams, girders, piers, columns, roofs, chimney flues and heating apparatus; to regulate the architecture, dimensions and symmetry of buildings in certain streets; to compel the proprietors to submit the plans thereof to, and previously obtain a certificate in writing from the building inspector or any other officer; to prohibit the construction of buildings and structures not conforming to such By-laws, and to direct the suspension at any time of the erection of any such buildings as does not conform to such regulations, and to cause the demolition of any building not conforming to such By-laws, if necessary.

R. S. P. Q., art. 5638, parag. 1.

417. To compel persons, owning or using steam engines, steam boilers, foctories, or other workshops or establishments, to provide the same with the necessary apparatus to consume the smoke and gas escaping therefrom, so as to effectually remove and abate any nuisance arising from the working of such establishment, and to impose a fine of one hundred dollars for the violation of any By-law made under the provisions of this paragraph, and to enact that, in default of immediate payment of the said fine and cost by the offender, he shall be condemned to an imprisonment not exceeding two months, unless the fine and costs shall have been paid before the expiration of such period, and a further fine of fifty dollars per day, for each and every day the offender shall continue in the violation of such By-law.

R. S. P. Q., art. 5638, parag. 5.

N.B.—The law 7 Ed. VII., ch. 62, art. 39, has made applicable to the City of Quebec the parag. 1 and 5 of

art. 383 of the law 3 Ed. VII., ch. 38, which are now the two preceding articles.

418. The city is authorized to order by By-law, that in certain streets or parts of streets, considered non-commercial, the buildings to be built thereon shall be built only at a certain distance from the line of such street.

3 Geo. V., ch. 53, art. 15.

419. For compelling owners of buildings occupied as hotels, theatres, factories, schools, places of public entertainment, and of all other buildings which the City Council shall designate, to provide the same with proper apparatus for saving life; for having the same examined, from time to time, by the city inspector, and to prohibit the use of such buildings as long as they are not so provided, and have not been inspected.

53 Vict., ch. 68, art. 25, parag. 5; 61 Vict., ch. 52, art. 29.

420. To regulate or prevent, within the limits of the city, the storage of petroleum, coal-oil, and explosive or inflammable substances of the like nature.

29 Vict., ch. 57, art. 29, parag. 24.

421. To compel the citizens to have their chimneys swept by licensed chimney-tweepers, in certain ways and at certain times.

29 Vict., ch. 57, art. 29, parag. 25.

422. To impose a tax upon chimneys, to provide funds for the chimney and fire departments.

29 Vict., ch. 57, art. 29, parag. 26.

423. To prohibit the sale of fire crackers, fuses, Roman candles, serpents, an dall other fire-works, of

what kind or sort soever ;and also, any projectile or missile made of powder.

29 Vict., ch. 57, art 29, parag. 27.

424. The Council may grant licenses to chimney sweeps, and fix the tariff of fees therefor; as soon as the Council shall grant licenses for this purpose, no person shall sweep chimneys without a license; and any person who shall in such case sweep chimneys without a license, or exact a higher rate than that fixed by the said tariff, shall be liable to a fine of five dollars.

29 Vict., ch. 57, art. 29, parag. 28.

425. The occupant of any house of which the chimney shall take fire shall be liable to a fine not exceeding five dollars, unless it be proved that such occupant complied with the regulations respecting the sweeping of chimneys.

29 Vict., ch. 57, art. 29, parag. 29.

426. The City Council, as soon as suitable subways are constructed, may, by By-law:

Order that, after the period specified therein, which shall not be less than three years, electric, telegraph, telephone, electric light companies, or all similar companies, shall remove from the streets or public squares in the city the posts on which the electric wires of such companies are suspended, and that such electric wires be put under ground and not otherwise.

In every By-law on this subject, the Council may order that in default of such companies cutting down and removing the posts and wires within the delay specified in the By-law, the city shall have the right to have the same cut down and removed at the expense of the company in default.

Companies shall have the right to construct their

own subways with the consent of the corporation and under the superintendence of the city surveyor.

53 Vict., ch. 68, art. 24, 61 Vict., ch. 52, art. 29.

427. The city is authorized to construct, administer and maintain, with the right to regulate the use thereof, a system of underground conduits, wherein shall be placed all telegraph, telephone, electric light and power wires, street railway feeder and other lines (exclusive of trolley wires) and cables and transmission lines belonging to any person, firm, syndicate, company or corporation, now or in the future, having or exercising rights o rprivileges in, on or above the strets, public or private lanes, thoroughfares or other places; such conduits to be of sufficient size and capacity not only to fulfil the present requirements, but to provide to a reasonable extent for future requirements.

As the city decides to construct underground conduits in any part of the city, the said companies, persons, firms, syndicates or corporations shall, upon notification, furnish such necessary information as may be asked for by the city and shall state what portion of the underground conduits they wish to reserve.

The city is authorized to impose a fine of twenty-five dollars for each day such companies remain in default after sixty days from the date of such notification.

This section shall not be interpreted as allowing the city to administer the installations of the various companies.

1 Geo. V., (2nd session), ch. 59, art. 6.

428. As the city shall construct such underground conduits, or portions of the same, in certain streets or portions of streets, public or private lanes, thoroughfares or other places, the Council may compel the persons, firms, syndicates, companies or corporations having, operating or maintaining overhead wires or cables,

poles and transmission lines, to remove the said overhead wires and cables, poles and transmission lines (exclusive of trolley wires); and only suitable conductors hall be installed in such underground conduit system, in the manner specified by the Council.

Should any person, firm, syndicate, company or corporation refuse to place such wires in the said underground conduits in the streets, lanes or public squares where he or it previously had overhead wires, an appeal shall lie to the Quebec Public Utilities Commission which may compel him or it to d oso if it considers it reasonable.

Separate openings or separate compartments in the openings shall be given to each company or person using the said conduits when asked for and provided the same is practicable.

The Electrical Commission of the City of Quebec should refuse separate openings to a person or company generally or in particular cases, an appeal shall lie to the Quebec Public Utilities Commission which shall decide the question and determine who shall bear the ts.

The conduits shall be so constructed that a permanent wall of brick or other non-conducting material shall separate completely and effectively that part of the conduits in which the electric light or power wires are placed from that part in which the telegraph, telephone and signal wires are carried, and the entrance to each part of the conduit shall be by separate manhole openings.

1 Geo. V., (2nd session), ch. 59, art. 7.

429. Notwithstanding any law to the contrary, neither the city nor any person, firm, syndicate, company or corporation shall hereafter have any right to plant poles or string wires, or cables, and no person, firm, syndicate, company or corporation, except the

City of Quebec, shall have the right to construct underground conduits in or across the streets, parts of streets, public squares and thoroughfares where municipal conduits have been or are being built; not shall the City Council have the authority to grant any such rights to any one whomsoever, excepting for tralley poles, street lamp poles, and such distribution poles as may be found necessary by the city.

1 Geo. V., (2nd session), ch. 59, art. 8.

430. Whenever the city shall have ordered the removal of poles, wires and overhead constructions, compensation shall be awarded the owners of such poles, wires and overhead constructions for the real value, at such time, of the materials including the installation so expropriated, such compensation to be determined by three competent arbitrators appointed as set forth in section 11 of this act. After such compensation has been paid, the said poles, wires and overhead constructions and all materials expropriated, shall become the absolute property of the city which shall have them removed.

1 Geo. V., (2nd session), ch. 59, art. 9.

431. Whenever the city has decided to place the electric service underground in any streets, lanes, public squares and places, or portions thereof, it shall take over the existing underground conduits in such streets, lanes, public squares or places or portions thereof, owned or operated by any person, firm, syndicate, company or corporation, and shall pay reasonable compensation for such underground conduits and also for cables and appurtenances so rendered useless.

After such compensation has been paid, the underground conduits and all materials so expropriated shall become the absolute property of the city. The compensation for the conduits and materials shall be determined as set forth in section 11 of this act.

1 Geo. V., (2nd session), ch. 59, art. 10.

432. All compensations shall be fixed and determined in the manner provided by the provisions of the Revised Statutes, 1909, governing expropriations by railway companies. When the city notifies the persons, firms, syndicates, companies or corporations of its intention to construct underground conduits in a portion of the city, it shall file its application for the appointment of the said arbitrators with a judge of the Superior Court.

The arbitrators shall hear the interested parties and give their award within four months from the date of their appointment unless such delay be extended by the arbitrators. The decision of the majority of the arbitrators shall be final and binding upon the city and persons, firms, syndicates, companies or corporations.

1 Geo. V., (2nd session), ch. 59, art. 11.

433. The city is authorized to determine the method and means of connecting the main trunk lines with the distributing lines and of making the service connections. It will construct, administer and maintain distributing ducts, charging a rental therefor, to be determined as hereinafte rset forth, or it may allow the persons, firms, syndicates, companies or corporations to construct their own distributing ducts under the supervision and with the approval of the Council, and delegate to them, in particular instances, its powers granted by this or previous acts.

1 Geo. V., (2nd session), ch. 59, art. 12.

434. The city is authorized to fix, determine, charge and receive, rentals on all underground constructions reserved by the persons, firms, syndicates, companies or corporations, and on overhead constructions owned by the city. Such rentals shall be fixed from year to year to cover the cost of maintenance and administration of the same, the interest and sinking fund to be

calculated in such manner as to extinguish the debt in not less than forty years on the capital invested by the city for the construction or purchase of such underground conduits, as well as the salaries and expenses of the Electrical Commission. When the said debt has been extinguished, the rental shall no longer include the interest and sinking fund on the extinguished debt, but the amount of such rentals for each person or company shall be in proportion to the portion of the conduits occupied or reserved by him or it.

Tenders shall be called for the construction of the said conduits and any company coming under the operation of this act may tender for the construction of the said conduits and an appeal shall lie from the acceptance of such tender to the Quebec Public Utilities Commission.

1 Geo. V., (2nd session), ch. 59, art. 13.

435. The city is authorized to enter in and upon any private property, including lanes, courts, yards and buildings, for the purpose of placing overhead or underground wires with the appurtenances, without the consent of the proprietors thereof; but compensation shall be given in the manner set forth in section 11 of this act for all real damages caused by the work done, or in consequence of such obstructions.

1 Geo. V., (2nd session), ch. 59, art. 14.

436. The City Council, in order to provide funds for the construction and establishment of the said conduit system, may issue bonds or debentures, or effect a special loan not exceeding two hundred and fifty thousand dollars, with interest not exceeding four per cent. per annum and a sinking fund, the whole as may be prescribed by a By-law of the Council.

1 Geo. V. (2nd session), ch. 59, art. 15.

497. To carry out this undertaking, the city shall pass a By-law providing for the appointment of a commission to be known as "The Electrical Commission of the City of Quebec." Such commission shall exercise all the rights of the city as they are delegated to it by the Council for the purposes of this undertaking.

Such commission shall consist of three competent engineers, as hereinafter provided, to prepare and draw up complete plans, drawings and specifications of underground conduits for that portion of the City of Quebec in which it is intended to construct undeground conduits, which plans, drawings and specifications, when prepared, shall be submitted to the approval of the Quebec Public Utilities Commission which may, after hearing the interested parties, approve and adopt or amend the said plans, drawings and specifications.

The commission and engineers charged with the preparation of such plans, drawings and specifications, shall be appointed as follows: One member shall be appointed by the City of Quebec, another by the companies having the right, under a charter, to put up poles and wires in the City of Quebec and which, within a delay of one month from the public notice published in a French and in an English newspaper, register a notice of such right in the office of the clerk of the City of Quebec, each company to have a vote in the appointment of such engineer; and the third member shall be appointed by the Quebec Public Utilities Commission.

Whenever the persons, firms, syndicates, companies or corporations do not comply with the provisions of the foregoing paragraph, the city shall apply to a judge of the Superior Court and request him to appoint the third commissioner to represent the persons, firms, syndicates, companies or corporations.

Such commission shall draw up the rules and regulations respecting the use, management and maintenance of such conduits, which rules and regulations, when

approved or amended by the Quebec Public Utilities Commission, shall have full force and effect.

As soon as the said plans, drawings, and specifications of the underground conduits and the rules and regulations mentioned in the foregoing paragraph, are approved by the Quebec Public Utilities Commission, and the contract or contracts for the construction of the underground conduits are given out by the City of Quebec, the city shall, with the approval of the Quebec Public Utilities Commission, appoint a competent engineer who shall alone have the direction and supervision of the construction and maintenance of the said underground conduits, and as soon as such appointment is made, the duties of the three members composing the Electrical Commission shall cease and determine and such commission shall then consist of the engineer so appointed.

The salaries of the members of the said commission charged with the preparation of the plans, drawings and specifications, rules, and regulations, and that of the permanent engineer charged with the supervision of the construction and maintenance of such conduits, shall be fixed by the city subject to the approval of the Quebec Public Utilities Commission, and none of the said engineers shall be dismissed except by the Quebec Public Utilities Commission, after hearing the interested parties.

Vacancies occurring in the said commission charged with the preparation of the said plans, drawings and specifications, rules and regulations, shall be filled in the same manner as the appointment was first made.

An appeal shall lie to the Quebec Public Utilities Commission by the City of Quebec, or by the persons or companies interested, from any rule and regulation or from any decision rendered and any act done by the

Electrical Commission of the City of Quebec or by the City of Quebec.

1 Geo. V., (2nd session), ch. 59, art. 16.

438. The Council may further pass By-laws:

1. For regulating the intensity or strength of electric currents to be carried along the wires, and to impose penalties for every infringement of the By-law to that effect.

53 Vict., ch. 68, art. 25, parag. 1st.

439. Whenever a company authorized by law so to do, wishes to put up or erect in the streets or public squares or on grounds belonging to the city or of which the city has the enjoyment or possession, any poles for sustaining or supporting electric wires or cables or for any other purposes, such company shall, to do so, be previously authorized by resolution of the City Council, and, in addition, shall cause the city surveyor to indicate to it in what streets and at what particular spot in any street or public square or other grounds as aforesaid the said poles may be put up or erected; and every pole, so put up or erected without such indication or elsewhere than at the spot indicated may be considered by the municipal authority as a public nuisance.

Nothing in this section contained shall affect acquired rights.

62 Vict., ch. 57, art. 19.

440. The city is authorized to adopt, by By-law, such means as it may deem expedient to compel incorporated companies which erect poles within the city limits or which are proprietors or in possession of poles erected in the said city, or which have the use or make use of poles erected in the said city, to paint the same and to put certain marks thereon to indicate by what company they are used, and to suppress the poles not

in accordance with the conditions required by such By-law.

3 Ed. VII., ch. 61, art. 8.

441. The city engineer may order the removal of any pole which he deems unnecessary, under a penalty of five dollars, recoverable from the owner of the pole by suit before the Recorder's Court.

An appeal from the engineer's decision shall lie to the Quebec Public Utilities Commission within a delay of fifteen days from the service thereof.

The delay for the removal of such pole, shall be such as may be determined by the engineer, and in case of appeal that determined by the Commission, and the penalty shall be incurred from the delay thus determined in either case.

3 Geo. V., ch. 53, art. 10.

442. Whenever it is necessary or expedient for the city to erect poles to carry electric wires for the purposes of its fire-alarm telegraph system, on public roads in the vicinity of the city, it may for such object exercise the powers mentioned in article 6252 of the Revised Statutes, 1909.

3 Geo. V., ch. 53, art. 11.

443. The city is authorized to pass a By-law to fix and also to prevent the too prolonged stoppage of locomotives or cars, in front of stores or sheds or in other parts of the streets, and to impose a punishment in the manner provided by law for every infringement of such By-law.

62 Viet., ch. 57, art. 22.

444. No person or company having the right to make in streets or public places of the city, or on land belonging to the city or whereof it has the enjoyment

or possession, excavations or trenches or underground conduits for the purpose of laying and maintaining pipes or ducts for conducting and distributing gas, electricity or any fluid whatsoever, for the purpose of lighting, heating or other objects, shall exercise said right except under the control of the city and under the supervision of the city engineer or of such other officer as the Council may name for that purpose. Such person or company, shall before beginning any work in the streets or public places in the city, obtain a permit to that effect from the city engineer, and shall further give security by a deposit in money or otherwise for the repairing of damages caused by such works in the streets or public places of the city.

445. The city shall have the power to grant to the proprietors of the Chateau Frontenac hotel, permission to build one or two viaducts or other constructions above Des Carrieres street, and one or more tunnels or passages, underneath the said street, for the purpose of communication between their properties built on both sides of the street.

7 Ed. VII., ch. 62, art. 42.

446. The City Council shall first determine by resolution all the conditions on which it proposes to grant such permission, and when the said city and the proprietors of the said hotel shall agree upon all the said conditions, a By-law shall be passed by the said City Council to order all the said conditions of the said permission; the said By-law shall enter into force only after a notarial deed, based on the said By-law and conformable thereto, has been passed between the parties.

7 Ed. VII., ch. 62, art. 43.

447. The city may, by By-law of the Council, close that part of Des Carrieres street extending between St.

Louis and Mont Carmel streets, and transfer to the Chateau Frontenac Company, on such conditions as it may deem proper, and as shall be set forth in a notarial contract between the parties, the land therein contained, in exchange for a strip of land for the opening of another street further west between St. Louis and Mont Carmel streets, which streets may be less than sixty feet wide. In the event of the said street being opened, the city shall have the power to grant to the Chateau Frontenac Company permission to build wings or other constructions of the proposed addition to its hotel over the said new street.

8 Ed. VII., ch. 84, art. 1.

448. The owners of the immoveables bearing the Nos. 1492, 1493, 1494, 1532 and 1536 of the cadastre of Jacques Cartier ward of the City of Quebec, are authorized to build a structure over Octave lane for the purpose of communication between their buildings erected and situate on both sides of the said lane.

7 Geo. V., ch. 59, art. 10.

449. The city is authorized, after first obtaining the consent in writing of all the bordering owners, to close, by By-law, that portion of Leonard street situate between De Varennes and Lallemant streets.

10 Geo. V., ch. 85, art. 8.

450. The city is authorized, after first obtaining the consent in writing of all the bordering owners, to close, by By-law, any street or part of a street it may deem advisable; such By-law to be subject to the approval of the Lieutenant-Governer-in-Council.

10 Geo. V., ch. 85, art. 9.

DIVISION OF LANDS INTO BUILDING LOTS.

451. For regulating and determining the depth of lots or properties to be divided into building lots in the city, provided the depth required be not more than one hundred feet.

53 Vict., ch. 68, art. 25, parag. 2.

452. For ordering that any plan of the division of a property into building lots and opening streets on such property shall, before the same can be completed, and before the lots can be put up for sale, be approved by the city engineer to whom the plan shall be submitted and shall have the right to make the changes therein which he may deem necessary in the interest of the city to make it conformable to the preceding provision.

53 Vict., ch. 68, art. 25, parag. 3; 61 Vict., ch. 52, art. 29.

ROADS, STREETS, VACANT LOTS, WHARVES.

453. The Council may also make By-laws respecting the cleanliness ,security, tranquility, good order and management of an ystreet, square, promenade or public garden or wharf in the said city, and the accommodation and security of persons passing, or of other persons in or upon such street, square, promenade or public garden or wharf.

29 Vict., ch. 57, art. 29, parag. 30.

454. For obliging and compelling proprietors and occupants of real property, to enclose the same, and to keep the same clean and free from filth and dirt, and to make the necessary drains, sewers and privies on such property.

29 Vict., ch. 57, art. 29, parag. 31.

455. And for fixing the height of the said fence and the materials of which it shall be constructed, to compel

the proprietor or his agent to level the soil thereof, within a delay to be fixed by such By-law; if within the said delay the said persons or any of them neglect to conform to the provisions of the said By-law, or if such property is vacant and its proprietor is unknown or absent from the district of Quebec, the said Council may order the officer charged to see to the execution of the said By-law to cause the said land to be fenced, cleansed or drained at the costs of the proprietor, and the said costs shall be a privileged claim and may be recovered from the said proprietor, agent, tenant, or occupant, by action of debt before the Recorder's Court, saving the recourse of such agent, tenant or occupant against the proprietor.

29 Vict., ch. 57, art. 29, parag. 32.

456. For requiring the removal by any preprietor, tenant or occupant of any house, building, or real property whatsoever or of any portion thereof in the said city, of all snow, ice, manure, mud, soot, filth, or any matter or thing whatsoever injurious to health or emitting a bad smell, or contrary to cleanliness, in or upon any street, lane or public place adjoining such house, building or property on any side whatsoever.

61 Viet., ch. 52, art. 27, 1st alinea.

457. By such By-law it shall be lawful for the Council to order that the depth of snow or ice to be left in the streets or on the sidewalks may be less in some streets than in other streets or public squares.

61 Vict., ch. 52, art. 27, 2nd alinea.

458. But such proprietor, occupant or tenant shall be required to make such removal from one half only of such street or lane, or from a width of twenty feet on a public place, boulevard, or square, or at the intersection of streets adjoining such house, building or prop-

erty, in accordance with the By-laws made or to be made in that behalf by the Council of the city.

3 Ed. VII., ch. 61, art. 11.

459. Whenever the snow on any street alongside of all unoccupied house or building, or vacant lot belonging to a person not residing in the city, shall not be removed at the time fixed for so doing by the By-laws, the city surveyor, or any foreman employed by the city for the inspection of roads, may have such snow removed at the expense of the city, and the sum so expended may afterwards be recovered from the persons in default to remove such snow by action before the Recorder's Court of the city.

57 Vict., ch. 58, art. 27.

460. All snow removed from any place whatsoever in the city must be deposited at the places indicated by a notice published by the engineer in the official newspapers of the corporation, or be carted outside the city limits under penalty of a fine not exceeding twenty dollars.

7 Ed. VII., ch. 62, art. 41.

461. For lighting the city or any part thereof.

29 Vict., ch. 57, art. 29, parag. 34.

462. The city is authorized to provide for the establishment, under its control, of any system of lighting whatsoever, for the said city, both for the streets, public buildings and for private property and, for that purpose, to pass such By-laws as may be necessary or expedient, without prejudice to vested rights.

7 Ed. VII., ch. 62, art. 35.

463. For the fulfilment of the objects mentioned in the foregoing article, the said city has the right to

acquire, lease or hold, both within and without the limits of the city, all proprietors, water-powers, workshops, conduits and works whatsoever, and to exercise, for such purposes, within the city all the rights of expropriation it now possesses for improvements and public works in the city.

8 Ed. VII., ch. 83, art. 4.

464. The powers mentioned in the two next preceding articles, shall be exercised by a By-law, which must be approved by the majority in number and in value of the electors being proprietors, who shall vote upon said By-law.

7 Ed. VII., ch. 62, art. 37.

465. For altering the level of the footpaths or sidewalks; and persons injured by such alteration to have legal remedy against the corporation.

29 Vict., ch. 57, art. 29, parag. 35.

466. And by such By-law the said Council may order and direct that any matter or thing, projection or obstruction mentioned in subsection thirty-three and the last preceding subsection added thereto, shall be removed at the expense of the proprietor, tenant or occupant, by the officer or person who shall be appointed to see to the execution of such By-law. And the costs of such removal shall be recovered from such proprietor, occupant or lessee, by an action for debt, before the Recorder's Court, in the name of the said corporation, and recovered in pursuance of the law regulating the said court.

29-30 Vict., ch. 57, art. 18, parag. b.

467. For directing and requiring the removal by any proprietor, occupant or tenant of any house or building, or of any part thereof, of the snow and ice from

the roof of such house or building, when such roof slopes or inclines towards a street, lane or public square, and when such snow or ice may be dangerous to public safety.

29-30 Vict., ch. 57, art. 18, parag. c.

468. To pull down, demolish and remove, at the expense of the proprietor, or occupant thereof, any buildings, walls, fences, or other buildings and erections encroaching on streets or public places, and any old, dilapidated or ruined walls, or public buildings; which said expense shall be sued for and recovered in the manner set forth in the thirty-third paragraph of the present section.

29 Vict., ch. 57, art. 29, parag. 36.

469. The said corporation shall regulate all that relates to roads, bridges, canals, sewers, water-courses, drains, beaches, and public places within the limits of the said city.

29 Vict., ch. 57, art. 29, parag. 37.

470. To compel the owner of any building hereafter erected to place upon his private drain, at such place as the city may indicate, an automatic valve approved by it, and also compel the said owner to connect his spouts from the roof of such building with the private drain, and to make such connection between the valve and the street sewer.

9 Geo. V., ch. 89, art. 7.

471. Notwithstanding any law to the contrary, the city may, by resolution of its Council, forbid the use by motor vehicles of any street or public road it may consider dangerous.

7 Geo. V., ch. 89, art. 9.

472. Notwithstanding any law to the contrary, the city is authorized to order, by By-law, that the width of the roadway of certain streets or parts of streets to be paved shall be limited to thirty feet for wheeled traffic, and that the roadway of certain existing streets or parts of streets shall be narrowed or widened so as to have wide sidewalks and lawns, with trees planted where necessary.

7 Geo. V., ch. 89, art. 8.

473. Proprietors or occupants of houses or buildings or other real property, in or under which any drain, canal or watercourse may pass, shall be bound to keep the same in good order, under the penalty of twenty dollars at most, and not less than four dollars. If after eight days' notice given to them by the City Engineer in writing, or by such notice being left at their domicile or place of business, and given to any reasonable person of their family, or in their employ, they shall not do that which they are bound to do, such engineer may cause the same to be done at their cost and charges, and which may be recovered from them by the corporation, by an action for debt before the Recorder's Court of the said city, together with the costs of such action.

29 Vict., ch. 57, art. 29, parag. 38: 61 Vict., ch. 52, art. 29.

474. The Council of the city may make By-laws to compel the proprietor or possessor or lessee in the city of bicycles, tricycles, velocipedes and other vehicles or machines of the kind used in the city, to pay to the city an annual special tax not exceeding two dollars for each such bicycle, tricycle, velocipede or other vehicle or machine as aforesaid.

61 Vict., ch. 52, art. 17.

475. The said Council may also make By-laws to

compel any incorporated company to pay to the city an annual special tax not exceeding twenty-five cents for each pole which it uses or whereof it has the use or control in the streets or public places of the city for telegraph, telphone or electric light lines, or for the transmission of electric motive power, or destined for its use.

3 Ed. VII., ch. 61, art. 9.

LICENSES, DUTIES, ETC.

476. The Council may also make By-laws for imposing duties or taxes on vehicles wherein are exposed or offered for sale, or sold in the said city, provisions, meat, or goods; or upon all persons selling, offering or exposing for sale, the said provisions, meat, goods or other effects, in the said city, in baskets, boxes or in any other manner.

50 Vict., ch. 57, art. 6, parag. 1.

477. The Council may also make By-laws, allowing hucksters, butchers or other retailers of meat, such as beef, veal, mutton, fresh pork or any other, to sell the same in any store or shop situated in the city, and to impose dues or taxes on and for each of said stores or shops, and to issue licenses to allow the sale of meats, provisions, or produce, in each of said stores and shops, to an amount not exceeding two hundred dollars; the corporation having the power to make the amount of said dues, taxes and licenses greater in certain places in the said city than in others.

7 Ed. VII., ch. 62, art. 38.

478. The granting of any license for the sale of milk and cream within the city limits, shall be left to the discretion of the Board of Health of the city. The officers of the said Board of Health are hereby empowered

to make, even outside the city limits, an inspection of milk destined to be sold in the city.

5 Geo. V., ch. 88, art. 9.

479. To compel all butchers or meat-sellers, selling in the halls or stalls leased by the corporation, bakers, hucksters, peddlers, carters and porters, residing or exercising their trade or business in the said city, and all bateaux-men, canoemen, and boatmen, carrying on their trade or occupation, for grain or hire, in the said city, to take a number and a license from the city clerk, for which number and license they shall not be required to pay more than twenty-five dollars, if the person obliged to take such license resides within the city limits, and not exceeding thirty dollars if such person does not reside in the said city, but carries on his occupation therein.

50 Vict., ch. 57, art. 5.

480. The city is authorized to impose a tax on any person acting as a carter in the city.

7 Geo. V., ch. 59, art. 6.

481. Nevertheless, the Council may, by By-law to that effect, exact for a peddler's license a sum not exceeding five hundred dollars, and exact from peddlers not residing in the city a sum different from that exacted from peddlers residing therein.

62 Vict., ch. 57, art. 23, 1st parag.

482. The Council may also, by By-laws, compel peddlers to procure from the city clerk a number or medal which they must wear so as to be visible.

62 Vict., ch. 57, art. 23, 2nd parag.

483. The said Council may, by a By-law, fix and determine the dimensions of such numbers and the mode

and manner of placing them on each vehicle, horse, bateau or canoe used by any of the said persons in the exercise of their said trade or calling respectively. For each number so given by the said corporation there shall be paid a just and reasonable compensation to be fixed by the said By-law.

33 Vict., ch. 46, art. 26, parag. 2.

484. Whosoever shall infringe any of the provisions of the By-law made in conformity with the present section shall incur for each offense a fine not exceeding twenty dollars, which shall be recovered according to law before the Recorder's Court.

33 Vict., ch. 46, art. 26, parag. 3.

485. Whosoever shall habitually put, place, or cause to be put or placed a boat, canoe or bateau, at or near any landing slip, strand or wharf whatever within the limits of the city of Quebec, or transport in such canoe, bateau or boat any person, effects or merchandie whatsoever, shall be considered as exercising the trade or calling of a canoeman, bateauman or boatman, for hire and profit as above stated, whether for himself or for any other person, and shall be liable to all the fines and penalties imposed by law or by the By-laws of the said city against persons exercising the trade or calling of boatman, mateauman or canoeman; and in all suits or complaints brought in virtue of the present provision the defendant shall be held to allege and prove that he does not exercise the trade or calling of a bateauman, canoeman or boatman.

33 Vict., ch. 46, art. 26, parag. 4.

486. No person shall sell or expose or offer for sale any butcher's meat, such as beef, veal, mutton, or fresh pork, outside of the stalls of the market halls of the city, or of any building appropriated for that purpose

by the corporation, or of any store or shop for which a license shall have been given by the corporation, under penalty of a fine not exceeding one hundred dollars for each offense.

50 Vict., ch. 57, art. 8, parag. 1.

487. But farmers may sell on the said markets, by complying with the By-laws of the city, all kinds of meat, either by the carcase or by the quarter, being the yield of animals raised on their lands or farms, or owned by them for three months, or the produce of their hunting; and, in all suits brought for violation of the provisions of this subsection, the corporation shall not be required to prove that the defendant has sold, offered or exposed for sale, meat not being that of animals raised on his land or farm or the produce of his hunting. In such suits the defendant and his wife shall be competent witnesses, and, if the action be dismissed, the city shall pay the expenses of the witnesses and the cost of summoning them.

62 Vict., ch. 57, art. 24.

488. Notwithstanding any law or By-law to the contrary, farmers shall have the right to sell in yards of private residences the produce of their respective farms, such as fruit, vegetables, poultry, eggs and butter, except meat, without being obliged to take licenses for such purposes.

3 Geo. V., ch. 53, art. 20.

489. No huckster shall sell, offer or expose for sale, any commodity or provisions whatsoever, except in the stalls of the markets of the said city, or other building appropriated for that purpose by the said corporation, under pain of a fine not exceeding forty dollars for each offence; and in any action or suit instituted for a violation of the provisions of this subsection, it shall not be

necessary for the plaintiff to prove that the defendant is a huckster; it shall rest with the defendant to prove that he is not a huckster.

29-30 Vict., ch. 57, art. 27, parag. 1.

490. Any person who buys, for the purpose of selling again by retail, any commodities or provisions commonly sold on the public markets of the said city shall be deemed to be a huckster.

29-30 Vict., ch. 57, art. 27, parag. 2.

491. The City of Quebec is hereby authorized to grant permits for free trading in fruit, vegetables and fish in the streets of Quebec, but such trade shall be subject to the city By-laws.

5 Geo. V., ch. 88, art. 29.

492. To oblige all persons selling or offering for sale in the streets, squares or public promenades of the said city, any merchandise, object, article or effect whatsoever, to obtain from the said Council a license for that purpose, which license shall be valid during the period fixed, and shall be given by the officer named for that purpose by the said By-law; and, for the price or cost of such license, there may be imposed a rate not exceeding the sum of twelve dollars.

29 Vict., ch. 57, art. 29, parag. 47.

493. To compel every person, keeping horses or vehicles for hire in the city, to obtain a license for that purpose from the Council, by paying for the said license a sum not exceeding fifty dollars, and an additional sum, not exceeding ten dollars, for each horse and each vehicle intended only to be hired out at the domicile, office or place of business of the proprietor of such horses and vehicles, when the horses and vehicles, which

shall be exempt from carrying numbers, shall not remain for hire on carter's stands.

53 Vict., ch. 68, art. 30.

MASTERS AND SERVANTS.

494. For the ruling and governing of masters, mistresses, apprentices, servants, employees and journeymen.

29 Vict., ch. 57, art. 29, parag. 49.

495. The said Council shall, as regards the conduct and regulation of masters, clerks, apprentices, servants, hired persons and laborers in the said city, be invested with all the powers contained in the provisions of chapter twenty-seven of the Consolidated Statutes for Lower Canada, (now art. 7415-7428 of R. S. P. Q.) and may impose, by any By-law which it may make on this subject, a fine not exceeding twenty dollars, for the contravention of any disposition of such By-law.

29 Vict., ch. 5, art. 29, parag. 50.

496. Every prosecution or complaint, in virtue of such By-law, shall be brought before the Recorder's Court of the said city, and shall be heard and decided in conformity with the law which regulates the said court.

29 Vict., ch. 5, art. 29, parag. 51.

497. The said Recorder's Court, relative to the annulling of any engagement, as aforesaid, shall possess and exercise the powers conferred by the said act. (R. S. P. Q., art. 7415-7428).

29 Vict., ch. 57, art. 29, parag. 52.

498. Any clerk, servant, hired person or laborer who, having been engaged in conformity with the provisions of the said act or of the By-laws of the said

Council, refuses or neglects, without just cause, to perform the said engagement, or who, after having entered into such engagement, and before beginning his term of service in conformity with the said engagement, contracts another engagement with another person, shall, on conviction, be liable to a fine not exceeding twenty dollars.

29 Vict., ch. 57, art. 29, parag. 53; R. S. P. Q., art. 7423.

PUBLIC POUNDS.

499. The Council may also make By-laws to authorize all officers or constables of police of the said city, to conduct into any public pound, in the said city, now established or which shall be established by the said Council, any horse, cow, pig, sheep, goat or ram, which may be found straying in any street, or public square, garden or public promenade or wharf in the city, or without any proper person taking care of the same; and any such animal shall remain in such pound until it has been claimed by the proprietor, who shall pay such fine as shall be determined by the By-laws made for that purpose, as also the cost of keeping and feeding such animal.

29 Vict., ch. 57, art. 29, parag. 54.

500. If such animal be not claimed within eight days following the day upon which it shall have been taken as aforesaid, it shall be sold by public auction, after notice given to that effect in the French and English languages, and the proceeds of the said sale shall be remitted to the Treasurer of the said city, who shall remit the same to the proprietor of the said animal after deducting the fine and the costs of keeping and feeding.

29 Vict., ch. 5, art. 29, parag. 55.

501. If the proprietor does not present himself

within the six months following the said sale, the balance of the proceeds thereof, belonging to the said proprietor, shall be placed by the said Treasurer to the credit of the said city, to form part of the funds of the said city.

29 Vict., ch. 57, art. 29, parag. 56.

NUISANCES, &c.

502. To compel every proprietor, tenant or occupant of any house or building or immoveable property in the said city, to clean and empty each and every water-closet or privy in such house or building, or on the ground upon which such house or building is erected, and to close in such privy, and to make and repair such closing and covering each time it shall be deemed necessary by the road inspector of the said city; reserving the remedy of such tenant or occupant who shall have the right of deducting from the price of the rent or occupation, every sum by him justly expended in obeying the order of the said inspector.

29 Vict., ch. 57, art. 29, parag. 57.

N.B.—In virtue of article 3891 of R. S. P. Q., the articles 182, 193, 194, 371, 392, 404, 408, 412, 417, 418, 550, 551, and 555 of the municipal code apply to all municipal corporations.

503. To compel the owner or occupant of any grocery, cellar, tallow-chandler's shop, soap factory, tannery, stable, barn, privy, sewer, garden, field, yard, passage, or lot of ground, or any other unwholesome or nauseous house or place whatsoever, to cleanse, remove, or abate the same, from time to time, as often as may be necessary for the health, comfort and convenience of the inhabitants of the said city; to prohibit any person bringing, depositing or leaving within the city limits any dead body, or any dead carcass, and to require the removal of the same, or any article or thing

about or liable to become unwholesome, by the owner or occupant of any premises on which the same may be; and on his default, to authorise the removal or destruction thereof by some city officer, and to recover the expense thereof from the party or parties refusing or neglecting to remove or destroy the same, and recover the amount by action of debt before the said Recorder's Court.

29 Vict., ch. 57, art. 29, parag. 58.

504. To prohibit, if deemed necessary by the said Council, the erection in the said city of all soap and candle, or oil or oilcake factories, slaughter houses, dyeing establishments, cement factories and other factories or establishments wherein work, operations or processes is or are carried on, liable or having a tendency to endanger property, or to affect or endanger the public health or safety; but the said Council shall have power also to permit such erection, use or employment, subject to such restrictions, taxes and duties, limitation and conditions, as the said Council may deem necessary; and the Council may require the obtaining of a license for which they may demand a sum not exceeding ten dollars.

29 Vict., ch. 57, art. 29, parag. 59.

505. The city may, by By-law, fix the places in the municipality where factories and other establishments using steam, electricity, gas or any other inflamable substances as motive power, may be erected.

506. The said Council may acquire or lease beyond the limits of the city, such grounds or places as they may deem expedient for the deposit of rubbish and filth, and may, by By-law, compel the inhabitants of the city to remove to and deposit at such places, all rubbish and

filth ordered by any By-law to be removed from the premises of any such inhabitants respectively.

29-30 Vict., ch. 57, art. 46, parag. 4.

507. If a majority of the rate-payers residing in any part of the city ask the City Council to adopt measures for the removal of garbage by the city, the said Council may adopt such measures applicable to certain parts of the city only or to the whole city, on varying conditions, according to the various cases and as may be deemed to the advantage of the inhabitants of the city.

9 Ed. VII., ch. 80, art. 8.

508. The City Council may adopt measures for the removal of garbage by the city. Such measures may apply to parts only of the city or to the whole city, and the Council may make such contracts as may be deemed to be to the advantage of the inhabitants of the city, with any individual for such purpose, and may levy a special tax to pay the cost of such removal.

The Council shall further have power to have such removal of garbage done by means of a franchise granted for the purpose to any individual or company, at such rates and on such conditions and for such period as it may deem advisable to establish, by a By-law enacting that such removal shall be obligatory either throughout the whole city or only in certain parts thereof.

7 Geo. V., ch. 59, art. 8.

CRUELTY TO ANIMALS.

509. The said Council may also make By-laws and regulations for punishing persons who shall ill-treat, ill-use, over-drive or overload any animal.

29 Vict., ch. 57, art. 29, parag. 60.

510. The city is authorized to regulate by By-law of the Council the weight of loads to be drawn by one horse, up any of the hills, within the limits of the city; the weight of any such load not to exceed eighteen hundred pounds, for a vehicle of any description.

5 Geo. V., ch 82, art. 30.

PUBLIC ORDER

511. For suppressing, regulating houses of prostitution, houses of ill-fame or disorderly houses, or reputed such, or any other building whatsoever in the said city, suspected of being a house of prostitution, or known or reputed as such, and to make in relation to such houses or buildings, or to the masters or mistresses thereof, or persons reputed such, or the tenants or occupants of such houses or building, or the persons dwelling, lodging or residing in such house or building, or relating to any prostitute or person known or reputed to be such, any By-law necessary for public order, decency or morality; and by any such By-law, any master, mistress, tenant or occupant of such house or building, or any person reputed to be such, may be held responsible for any infringement of the provisions of such By-law by any person dwelling, residing or lodging in such house or building or frequenting the same; but nothing shall prevent the party offending from being prosecuted for the offence by him or her committed against such By-law, at the option of the prosecutor; and by such By-law, any infringement of the provisions thereof shall be punishable, on conviction before the Recorder's Court, by a fine not exceeding one hundred dollars, or, in default of payment of the fine and costs, by imprisonment with hard labor for a period not exceeding six months—but the imprisonment shall cease on the payment of the fine and the costs due at the date of such payment,—or by imprisonment not exceeding

six months, without option of a fine, or both together, the whole at the discretion of the Recorder.

5 Geo. V., ch. 88, art. 28.

512. All proprietors, usufructuaries or **grevés de substitution**, agents, and all other persons knowingly leasing, subletting, causing or allowing to be occupied within the limits of the City of Quebec, any houses, premises or buildings whatsoever to or by persons of ill-fame, or reputed as such, for purposes of prostitution, or reputed as such, shall incur, for each and every infringement of the provisions of the present section, a penalty not exceeding two hundred dollars currency, or an imprisonment in the common gaol of the district of Quebec, for a period not exceeding six months; and in default of immediate payment of the penalty (if a penalty instead of an imprisonment is by the conviction imposed), the offender shall be imprisoned in the said common gaol for a period not exceeding six months, unless such penalty be sooner paid. And all suits or complaints to recover such penalty shall be instituted in the name of the said Corporation of the City of Quebec, before the Recorder's Court of the said city. And to that end the said court has the power to summon the transgressor, although he may reside without the limits of its jurisdiction, in the Province of Quebec, to appear before the said court to answer to the charge brought against him to defend and be judged in conformity with the law which governs the said court.

36 Vict., ch. 55, art. 11.

513. To prohibit cock-fights, dog-fights, or fights of other animals, and all cruel amusements in the said city, and all games whatsoever in the streets or public squares, gardens or public promenades, or wharves in the said city.

29 Vict., ch. 57, art. 29, parag. 62.

514. To prevent any person whatsoever, (druggists excepted) from selling or retailing, or causing to be sold or retailed, or exposed for sale on Sundays, any effects, merchandise or things whatsoever; and to punish every infraction of such By-law by fine not exceeding one hundred dollars, or by imprisonment for a term not exceeding two months, or both, in the discretion of the Court which shall hear the complaint.

29 Vict., ch. 57, art. 29, parag. 63

515. To enforce the closing on Sundays of all stores, shops, protographers' and barbers' establishments throughout the whole day.

51-52 Vict., ch. 78, art. 66.

516. In every city and town, the municipal Council may make, amend and repeal By-laws ordering that, during the whole or any part of the year, stores of one or more categories in the municipality be closed and remain closed every day or any day of the week, after the times and hours fixed and determined for that purpose by the said By-law, but the times and hours, so fixed and determined by such By-law, shall not be sooner than seven o'clock in the evening nor later than seven o'clock in the morning.

Every infringement of a By-law made in virtue of this section shall render the person, found guilty thereof before two justices of the peace, liable to a fine not exceeding forty dollars for each offence, and in default of payment to imprisonment not exceeding two months.

Prosecutions for infringements of the By-laws made in virtue of this section, shall be governed by part XV of the criminal code, respecting summary convictions.

R. S. P. Q., art. 5885.

517. The said Council may also, by By-law, order

the closing, throughout Sunday, of theatres, moving pictures or other shows or entertainments to which the public is admitted.

9 Ed. VII., ch. 80, art. 7.

518. Police officers and constables shall have power to enter any house, building or other place in which spirituous liquors are sold or exposed for sale on the days and during the hours on and during which such trade in liquors is prohibited by law or by the By-laws of the City Council.

9 Ed. VII., ch. 80, art. 10.

N.B.—Article 1112 R. S. P. Q., gives jurisdiction to the Recorder's Court for actions taken under the License Law.

519. And any person or persons who may be in any such house or building or place whatever herein above enumerated in the present section, as well as in the said last section above mentioned, or who may be in charge thereof, and who shall refuse, or, after due summons, fail to admit any such police officer or constable, or in any way oppose or obstruct his admission to any such house, building or other place whatever, shall incur, for each and every offence, a penalty not exceeding fifty dollars currency, and in default of immediate payment of the said penalty an imprisonment not exceeding three months in the common goal of the district of Quebec.

36 Vict., ch. 55, art. 13, parag. 2nd.

524. To punish by fine, every person who shall keep or have in his possession a vicious dog, biting or attacking the passers by or other persons, or who shall keep any other vicious animal, ferocious or dangerous, to the safety, or obstructing and disturbing the tranquility of the citizens or of others in the city; and to order

that the said dog or other animal be shut up or killed, or cause to be killed, or destroyed, at the cost and charge of the proprietor or persons keeping the same.

29 Vict., ch. 57, art. 29, parag. 67.

525. To award damages, not exceeding forty dollars, to any person bitten or wounded by such dog or animal, and the prosecution for the said fine or damages shall be brought before the said Recorder's Court, and and heard and judged according to the laws which regulate the said Recorder's Court.

If the person thus bitten or wounded be a minor or less than sixteen years of age, in such case the action and damages shall be brought in the name of the father. or mother, or tutor of such minor.

29 Vict., ch. 57, art. 29, parag. 68.

HORSES, CARTERS, &C.

526. To punish by fine the owner, keeper, or driver of any horse found in any street, lane, wharf, or other public place in the city, without any competent person being in charge thereof.

29 Vict., ch. 70, art. 29, parag. 70.

527. And by such By-law, the master, proprietor, or possessors, of any such horse, may be prosecuted personally and condemned for any infringement of the provisions of this by law, whether the said infringement has resulted from the action of the said master, proprietor or possessor, or from the act of his domestic, servant or other person whosoever in his service, or to whom he may have loaned or leased the said horse.

29 Vict., ch. 57, art. 29, parag. 71.

528. For the good government and discipline of carters, and for establishing carter's stands in the said city; and to make, change and alter a tariff of fees to be

taken and charged by such carters; and upon all persons hiring out horses or vehicles in the city.

29 Vict., ch. 57, art. 29, parag. 72, No. 1.

529. And by any By-law so made, any person exercising the calling of carter may be held responsible for each and every violation of the said By-law committed by such carter or by his hired men or servants, whether the said violation arises from the act of the said carter, or from the act of any such hired men or servants, and may be prosecuted and punished in conformity with the provisions of such By-law. But nothing contained in the present clause, or in the one immediately preceding, shall prevent the person by whom such act has been committed from being prosecuted and punished by virtue of the By-laws mentioned in said clauses.

29 Vict., ch. 5, art. 29, parag. 72, No. 2.

530. Any person who shall be in the habit of remaining with a vehicle with one or two horses harnessed thereto, or of causing such vehicle so to remain on a carter's stand, or in a street, lane, porch, or the entry of a yard or house, or on a public square in the said city, or of carrying in such vehicle any persons, effects or merchandise whatsoever, shall be considered as carrying on the business of a carter for lucre, gain or profit, either for himself or for some other person, and shall be liable to any fine or penalty imposed by law or by the By-laws of the city, on persons carrying on the business of a carter aforesaid; and in any suit or complaint brought by virtue of this provision, the onus of proving that he does not so exercise the business of a carter, shall lie upon the defendant.

29-30 Vict., ch. 57, art. 24.

FERRY OVER THE RIVER ST. LAWRENCE.

531. The Council may also make By-laws, to regulate the ferries and ferrymen on the River St. Lawrence between the said city and any place within the distance of twelve miles from the said city; to fix the tolls to be charged and exacted by the said ferrymen; grant licenses to the said ferrymen, and fix the price or sum to be paid for each license and the period at which the same shall be renewed each year,—one half of the said sum shall belong to the said corporation and the other half to the municipality to which the said ferries extend; and every infraction of the provisions of such By-law shall be punishable by a fine not exceeding forty dollars recoverable by a qui tam action.

29 Vict., ch. 57, art. 29, parag. 73, as amended by 55-56 Vict., ch. 50, art. 1.

532. The City Council may, if it is considered more advantageous to the city, make a By-law authorizing the sale and adjudication, by public auction or by tenders called for as hereinafter provided, of the exclusive right of ferrying passengers, merchandise, animals and all other objects whatsoever between the said city and the town of Levis, for no longer than fifteen years, the said By-law fixing and defining the conditions of such sale.

55-56 Vict., ch. 50, art. 2, 1st parag.; 9 Ed. VII., ch. 80, art. 2.

533. The town of Levis shall have power to make such By-laws as it may deem necessary respecting the ferry between the town and the City of Quebec or any other place, and for imposing penalties against any person, company or ferrymen who shall refuse or neglect to comply with such By-laws, and the revenue from such penalties shall belong to the town of Levis. Provided always that the City of Quebec, while having the

right to grant the contract for the ferry between Quebec and Levis, subject to the conditions and formalities hereinafter set forth, and to grant a license to that effect for a period not exceeding nine years, shall be bound to pay to the town of Levis one half of the proceeds of the revenue from the said license.

Moreover, the right to make and prepare By-laws for carrying out the powers conferred by law upon the City of Quebec and the town of Levis respecting the ferry between the city and the town shall be exercised jointly by their Councils in the following manner from the expiration of the present contract between the City of Quebec and the Quebec and Levis Ferry Company: a special committee consisting of three members chosen by the Council of the City of Quebec and of three members chosen by the Council of the town of Levis, convened by the mayor of the City of Quebec, at the City of Quebec, within a reasonable delay of not less than one year, before the expiration of the present contract and before the granting of a new one, shall have power to make By-laws respecting the conditions of such contract, the granting and the price of the ferry license, the fixing of freight and passenger rates and other conditions which the special committee may deem advisable to impose.

Such committee shall be presided over by one of its members elected by the majority of the members present, and, in the event of the votes being equal in the selection of a chairman, he shall be selected by drawing lots. The chairman of the committee shall have the right to vote upon all questions, and, when the votes are equally divided, he shall have a cast vote.

The quorum of such committee shall be four.

Such By-laws shall come into force after having been approved by the corporation of the city in the manner indicated by law and by the By-laws of the City of Quebec.

6 Ed. VII., ch. 49, art. 24 **(Act of incorporation of the town of Levis).**

534. Any contract which may be passed with an individual or a company to establish a ferry service between the said city and the south bank of the river St. Lawrence, shall have no force or effect until approved by the Lieutenant-Governor-in-Council.

The city shall, two years at least before the expiration of such contract, call for tenders, in the ordinary manner, for the renewal thereof.

Nevertheless if the contract entered into comes to an end in any manner before the date of its expiry, the City Council may, by resolution, order the calling of tenders for the sale of the exclusive privilege of the ferry or order the sale of such privilege by auction upon the conditions contained in a By-law prepared by the joint committee in accordance with the provisions of the act 6, Edward VII., chapter 49, section 24, after giving notice within the delay fixed by law.

With the consent of the parties, the City of Quebec and the town of Levis and the purchaser, the By-law and contract now in force respecting the ferry between Quebec and Levis may be amended, as regards the construction of and the specifications for the boats, or the parties may put an end to them.

Nothing in the two previous paragraphs shall effect pending cases or the rights of third parties.

8 Ed. VII., ch. 83, art. 12; 1 Geo. V., (2nd session), ch. 59, art. 17.

535. In the interval between the expiration of a contract for the ferry and the date fixed by the Council for the execution of a new contract, or the municipalization of the service between Quebec and Levis, the city of Quebec, upon the recommendation of the Joint Committee, may make temporary arrangements, for a

time not exceeding that required for giving new notices and awarding a fresh contract, with any person or firm, for securing a ferry service on conditions deemed suitable by the joint committee.

The joint committee as created under section 24 of the act 6 Edward VII, chapter 49, shall exist permanently. The Mayor of Quebec shall have power to call a meeting of the joint committee when necessary.

1 Geo. V., (2nd session), ch. 59, art. 18.

536. Without prejudice to the act 29 Victoria, chapter 57, section 29, paragraphs 73, 76, 77, as amended by the act 55-56 Victoria, chapter 50, sections 1 and 2, and by the act 6 Edward VII, chapter 49, section 24, the City of Quebec is authorized to enter into an agreement or contract with the corporation of the town of Levis to provide for the purchase or lease by such corporations, of vessels for establishing under their control and administration a ferry service over the River St. Lawrence, between the City of Quebec and the town of Levis, during the periods of time to be agreed upon between them and on such conditions as may be stipulated between them by By-laws or resolutions to be adopted by each of them respectively and for all purposes connected with such ferry.

"If the town of Levis refuses to join with the City of Quebec in the project of making the ferry service a municipal service, the City of Quebec is authorized to efect such service alone."

9 Sd. VII., ch. 80, art. 1; 1 Geo. V., (2nd session), ch. 59, art. 25.

537. Notwithstanding the provisions of the act 7 Edward VII., chapter 46, the sale of the exclusive right of ferrying between the said city, and the town of Levis mentioned in the first paragraph of section 2 of the act

55-56 Victoria, chapter 50, may be for a period not exceeding fifteen years.

9 Ed. VII., ch. 80, art. 2.

538. For the fulfilment of the objects set forth in section 1, the City of Quebec is authorized to procure a sum not exceeding two hundred and fifty thousand dollars by means of an issue of bonds or debentures which may be issued by it from time to time or at the same time, in such manner as may be determined by the Council of such city, and to create such sinking funds as may be required for that purpose. Such bonds or debentures may be made redeemable in fifty years or sooner.

9 Ed. VII., ch. 80, art. 3.

539. In the event of the City of Quebec and the town of Levis not undertaking the aforesaid ferry service over the river St. Lawrence, every contract made and entered into with any person or company for such service shall be based on a By-law drawn up by a joint committee of the members of the Council of the said city and of the said town as set forth in section 24 of the act 6 Edward VII., chapter 49, (art. 533 heretofore); and such contract must be approved by the Lieutenant-Governor-in-Council.

9 Ed. VII., ch. 87, art. 3.

540. The Council may, by resolution, fix the day, hour and place of such sale, or of the final reception and opening of tenders, and notices of the same shall be published in the official newspapers of the corporation for at least ten clear days between the first publication of the said notice and the day fixed for the sale or for the final reception and opening of tenders. In case for any reason whatever, the said sale does not take place

upon the day so fixed, another day may be fixed by another resolution.

55-56 Vict., ch. 50, art. 2, 2nd parag.

541. A notarial deed of the said sale and adjudication shall be passed between the said city and purchaser. The latter shall furnish two solvent sureties, accepted by the council, who will bind and oblige themselves, jointly and severally with him, towards the said city, to the payment of ten thousand dollars, and to the execution of all the conditions of the said deed. The security thus given shall continue to be binding during the whole term of the contract.

55-56 Vict., ch. 50, art. 2, 3rd parag.

542. The amount arising from such sale as aforesaid shall be divided between the said corporation and the municipality to which the said ferry shall extend.

29 Vict., ch. 57, art. 29, parag. 76.

543. The said Council may, by the By-law authorizing the said sale and adjudication, make such rules and regulations for the convenience and safety of the passengers and the mode of crossing, by fixing the time and number of the crossings to be made each day, and may impose a penalty not to exceed forty dollars for any infraction of the provisions of such By-law.

29 Vict., ch. 57, art. 29, parag. 77.

544. To regulate and fix the rental to be recovered by the said corporation, for all wharves, the property of the said corporation.

29 Vict., ch. 57, art. 29, parag. 79.

545. And also to make a tariff of the dues or rates of wharfage to be exacted and levied for the use of the said wharves for the mooring of schooners, vessels or

other craft, and for discharging, loading or depositing thereon for any other purpose, any animals, merchandise or effects whatsoever, or for the use or occupation by any vessel whatsoever, of Palace harbor within the limits of the said city.

29-30 Vict., ch. 57, art. 26.

546. The City Council may, by resolution, order the sale by auction of the revenues of all or any of the cattle-stands and weigh houses, and determine the manner and conditions of such sale and adjudication.

59 Vict., ch. 47, art. 8.

547. To fix and determine the fees to be exacted and levied by the respective officers of the said Council, for any service by them done or rendered, at the demand of any person, or for searching for, making copies or extracts from any By-law or document whatsoever, of which they respectively have charge.

29 Vict., ch. 57, art. 29, parag. 82.

548. The said fees shall form part of the funds of the said city; but no fees shall be exacted in those cases in which the law obliges the said Council or its officers to give, gratuitously, copies, extracts or communication of any By-law or document.

29 Vict., ch. 57, art. 29, parag. 83.

549. The City of Quebec is authorized to publish a municipal Gazette in which the notices required by its act of incorporation and By-laws, may be published in French and in English.

4 Geo. V., ch. 72, art. 21.

GENERAL PROVISIONS RESPECTING BY-LAWS.

550. One half of the members of the Council must be present at a meeting for the passing of a By-law.

8 Geo. V., ch. 83, art. 9.

551. Every By-law shall be read twice by the Council at a regular and separate meeting before being finally adopted and submitted to the Lieutenant-Governor-in-Council, and after having undergone the first reading, it shall be published in an English and in a French newspaper published in the city, and be followed by a notice indicating at which day it shall receive its second reading, and an interval of at least two clear days shall elapse between such notice and such second reading; provided that the By-law may be altered or amended at such second reading, if the Council see fit, without the need of any other publication of the By-law before its final adoption, unless the same be ordered by resolution of the Council.

1 George V., ch. 47, art. 28.

552. Whenever the law orders that a By-law of the Council shall be submitted to the approval of the rate-payers who are owners of real estate in the city, the vote of such rate-payers shall be given in accordance with the list then in force of electors qualified to vote at the election of aldermen whose seat is designated by the number one.

59 Vict., ch. 47, art. 15.

553. At least fifteen days before the day fixed for such voting, the city clerk shall give notice thereof in the official newspapers of the Council; and for such voting there shall be a poll in every ward. Such polls shall be established by the mayor; and the clerk shall publish

the list and description thereof in the said newspapers at least two clear days before the voting.

59 Vict., ch. 47, art. 16.

554. The city clerk shall make out poll-books for each poll according to schedule Q, annexed to this act. **(Schedule N of the present compilation).**

59 Vict., ch. 47, art. 17.

555. All the provisions of the law governing voting for the election of members of the Council shall apply to the said voting for the approval of a By-law as aforesaid.

59 Vict., ch. 47, art. 18.

556. The ballot for each voter shall be a printed paper with an annex according to schedule R of this act. **(Schedule O of the present compilation).**

59 Vict., ch. 47, art. 19.

557. The voter shall mark the said ballot by making a cross with a pencil on the right side opposite the word "for", if he approves the By-law, or opposite the word "against", if he disapproves of the By-law.

59 Vict., ch. 47, art. 20.

558. Immediately after the close of the poll, the officer presiding at the poll shall open the box and count the ballots in favor of, and the ballots against the By-law, and make out a statement thereof, indicating the number of ballots of each kind admitted.

59 Vict., ch. 47, art. 21.

559. On the day following the voting day, or on the first juridical day following, if the following day be not a juridical day, at the hour of eleven in the forenoon, at the clerk's office, the latter shall open the ballot-

boxes, and the mayor shall ascertain the number of votes for and the number of votes against the By-law, from the statements or retuns made by the offices presiding at the polls; and, if such By-laws be approved by the majority of the said votes, the mayor shall sign a declaration to that effect, and such By-law shall afterwards be published in the usual manner.

59 Vict., ch. 47, art. 22.

560. All copies written or printed, of any By-law, rule or order of Council, certified by the city clerk, produced before the said Recorder's Court, or any Court of Justice, shall be held authentic until proof to the contrary.

29 Vict., ch. 57, art .30, parag. 2.

561. All rules, regulations, By-laws or orders heretofore legally made by the said City Council, or heretofore legally made by the justices of the peace, or any other competent authority, and now in force, shall continue to be in force in the said city, until they shall have abrogated and annulled.

29 Vict., ch. 57, art. 30, parag. 3.

562. The By-laws now in force in the said city, or which may in future be in force within the limits of the said city, shall be considered public acts, and knowledge shall be had of them by every court, judge and person whatsoever, without it being necessary to allege them specially.

29 Vict., ch. 57, art. 30, parag. 4.

[It is declared and enacted that the By-law passed by the said Council on the twenty-seventh day of April, one thousand eight hundred and sixty-six, consolidating the By-laws to provide funds for the expenses of the

said city, is and has been legal and binding to all intents and purposes whatever].

29-30 Vict., ch. 57, art. 66.

563. A certified copy of every By-law adopted by the City Council, shall be transmitted by the city clerk to the Lieutenant-Governor who, during the three months following may disapprove of them, and such disapproval shall render such By-law null and void, in the same way that every By-law is null and void which is repugnant to any law of the province; but if this disapproval of the Lieutenant-Governor shall not be signified to the City Council, such By-law shall continue to have full force and effect, unless contrar yto any law in force.

29 Vict., ch. 57, art. 30, parag. 5.

564. The right to demand the recinding of a By-law passed by the City Council is prescribed by three months from the date of its coming into force. This prescription also applies to the right to demand the setting aside of a resolution of the said Council.

3 Ed. VII., ch. 61, art. 10.

565. The Council may, for the punishment of the infraction of any By-law, imposed a fixed or variable fine or penalty, and imprisonment in default of payment. and leave it to the discretion of the court to determine the amount of such fine or penalty, the time of payment, and the term of imprisonment; the fine or penalty shall not in any case exceed one hundred dollars, and shall be sued for and recovered in the manner and form prescribed by the law regulating the Recorder's Court of the said city, and the imprisonment shall not be for a longer period than three calendar months, unless a different penalty or imprisonment be fixed by law.

5 Geo. V., ch. 88, art. 4.

566. The Council may authorize any officer or constable of the police to enter any house, building, yard, premises or other locality whatsoever in the said city, to ascertain if any infringement of the laws or By-laws now in force or which may hereafter be passed by the said Council is being therein committed.

29 Vict., ch. 57, art. 30, parag. 7.

567. All recognizances in penal matters, taken and received in virtue of the present act, shall hold good if taken before the Recorder's Court, the Recorder, or a Justice of the Peace of the District of Quebec, and shall be subject, as to forfeiture before the said court, to all the proceedings required for the forfeiture of recognizance before courts of criminal jurisdiction.

29 Vict., ch. 57, art. 30, parag. 10.

568. All recognizances required in penal matters, in all cases when the fine or penalty sued for shall belong to the said corporation, in case of the non-fulfilment of all and every the conditions mentioned in such recognizance, shall be given in favor of the said corporation, and in case of the forfeiture of such recognizance, the corporation may recover the amount thereof from the sureties ointly and severally, by action for debt before the said Recorder's Court.

29-30 Vict., ch. 57, art. 29.

POLICE FORCE.

569. From and after the first day of May next [May, 1889], the present police force of the City of Quebec shall be under the control of the Council of the city.

51-52 Vict., ch. 78, art. 52.

570. Every man forming part of the said corps shall be called a constable of police, and shall have all the

powers and privileges attributed by law to constables; and shall be subject to the same responsibility in the exercise of the powers imposed upon him by the present act; and this provision shall apply to all officers of the said corps.

29 Vict., ch. 57, art. 31, art. 4.

571. Before entering upon his functions, every officer or man of the said corps shall make oath, before the Recorder's Court of the said city, **(Schedule P of the present compilation)** to fulfil well and faithfully the duties imposed upon him in his said capacity.

29 Vict., ch. 57, art. 31, parag. 5.

572. The said constables of police shall keep watch, day and night, to maintain good order and the public peace; to enforce the observance of all laws, rules, By-laws and ordinances in force in the said city, and to prevent misdemeanors and felonies in the said city.

29 Vict., ch. 57, art. 31, parag. 7.

573. The powers of the police constables shall extend to the whole district of Quebec, but they cannot act outside of the limits of the city without the written auhority of the Mayor or an order of the Recorder's Court.

51-52 Vict., ch. 78, art. 53.

574. The engagement of every police constable shall be deemed to be made for the period of one year and no more; but such engagement may be renewed with the consent of the Council.

51-52 Vict., ch. 78, art. 54.

575. From and after the date when this act comes into force, all the members of the city fire brigade zshall be appointed and dismissed by a committee composed of

the Mayor, of the Chairman of the Fire Committee, and of the chief of the brigade ;and the members of the police force shall be appointed and dismissed by a committee composed of the Mayor, of the Chairman of the Police Committee and of the Chief of Police.

2 Geo. V., ch. 55, art. 25.

576. No police constable shall withdraw from the said force before the expiration of his term of engagement (except in case he shall have been discharged), under pain of a fine not exceeding eighty dollars, or in default of payment, of imprisonment for a period not exceeding three months.

29-30 Vict., ch. 57, art. 31, parag. 1.

577. Every police officer or constable, when in the execution of his duty, shall arrest on view any person contravening the character of the city or a By-law of the City Council, as well as any vagrant, idle, loitering, loose or disorderly person whom he may find disturbing the public peace or whom he has just reason to suspect of some evil design, as well as any person whom he finds lying or loitering in any field, street, yard, or other place whatsoever in the said city, and not giving a satisfactory account of his presence in such field, street, yard, or other place; and he shall also arrest any person whom he finds committing any offense against the provisions of articles 2782 to 2794, (now art. 3578-3590 of R. S. P. Q. of 1909) inclusively, of the revised statutes..

61 Vict., ch. 52, art. 11.

N.B.—See articles 817 and 818 hereafter mentioned.

578. Every vagrant arrested on view shall be taken before the Recorder's Court, if the court be sitting, and if the court be not sitting, such person shall be taken to the nearest police station, there to be detained until the

next sitting of the court, unless such person gives the bail required by law.

61 Vict., ch. 52, art. 12.

N.B.—The art. 10-19 of ch. 102 of the C. S. L. C., (of 1861), known as the "police ordinance," have been declared abrogated by the R. S. C., of 1886, annex A. However, they have been reenacted in the art. 2782-2794 of the R. S. P. Q., of 1888, and in the art. 3578-3590 of the R. S. P. Q. of 1909.

That police ordinance is now embodied in the criminal code, art. 238, 239. It is doubtful that the legislature of Quebec may still have jurisdiction over that matter.

579. Any person arrested on view for an offence against any provincial law or against the By-laws of the city, may be admitted to bail by a justice of the peace or by the sergeant, or other officer or peace officer then in charge of the police station, who shall accept as sureties only persons of known solvency for the appearance of the person so arrested before the said Recorder's Court, on the day named in the recognizance.

8 Ed. VII, ch. 83, art. 2.

580. The amount of the recognizance in such case as well as in the case of persons arrested under the provisions of subsections ten, eleven and twelve of this section, shall be forty dollars. And for the said recognizance there shall be exacted fifty cents, which shall be delivered to the clerk of the said court with the recognizance, and the said fifty cents shall belong to the said corporation.

29-30 Vict., ch. 57, art. 32, parag. 2.

581. The thirty-second section of the act twenty-ninth and thirtieth Victoria, chapter fifty-seven (art. 573 and 574) shall apply to the infringements against the

By-laws in force or which shall hereafter become into force in the said city.

33 Vict., ch. 46, art. 19.

582. Each and every police constable shall have the right to enter and visit any house, building or ground, or any place or house of public entertainment, in order to ascertain whether any infringement of any act in force in the said city, or of the present act, is being therein committed.

29 Vict., ch. 57, art. 31, parag. 17.

583. Whoever shall abuse, threaten, assault, strike, or resist any constable or incite any person to assault, strike or resist such constable in the performance of the duties imposed upon him by this act or by any other act or by any By-law of the said city in force or hereafter to be in force in the said city; or

Shall violently deliver or carry off a prisoner, or in any way whatsoever cause or procure the escape of a prisoner in the custody of such constable; or

Shall resist such constable in his visit and examination of any building, ground or place whatsoever in the said city, or refuse him admission thereto or to any part thereof, in any case in which such constable is authorized by law or by By-law of the said city to make such visit, shall incur, on conviction for each offence, a fine not exceeding fifty dollars, or imprisonment for a term not exceeding two months, or both fine and imprisonment together, in the discretion of the Recorder's Court aforesaid.

29-30 Vict., ch. 57, art. 33.

584. Every police constable, who is guilty of disobedience, insubordination, drunkenness, negligence, bad conduct, abuse of power, partiality or malfeasance in the performance of the duties imposed on him by law,

shall, upon conviction of such offense, before the Recorder's Court, incur a fine not exceeding forty dollars.

The Council may, in addition, suspend or dismiss every such constable so guilty as aforesaid.

No police officer or constable so dismissed can afterwards serve in the police force.

51-52 Vict., ch. 78, art. 55.

585. The City Council may pass a resolution to determine and fix beforehand the salary to be paid to all special constables whom the Mayor of the said city is hereby authorized to appoint and swear in, in cases of urgency, tumultuous or illegal assemblies or other similar cases, to aid the police force of the city in preventing crime or for the maintenance of peace and good order in the city.

7 Ed. VII., ch. 62, art. 40.

CONSTRUCTIONS PROHIBITED.

586. It is forbidden to build or erect any house, building or structure whatsoever or repair the exterior walls of any such house, building or structure or repair any portion of the roof or exterior covering of any house, building or structure otherwise than with incombustible materials.

Houses or other buildings built of stone or brick, or of wood lined with brick or asbestos material or cement or in accordance with the provisions of By-law No. 24 of the City of Quebec bearing date the ninth of August, one thousand nine hundred and twelve, entitled: "By-law concerning the construction of certain buildings and precautions against fire," or in other incumbustible materials the use of which may be permitted by any other By-law of the City Council shall be considered as built with incumbustible materials.

It shall, however, be lawful to construct wooden

wharves and to erect on such wharves wooden buildings covered outside with metal.

3 Geo. V., ch. 53, art. 12.

587. Every roof shall be of sheet iron, tin, zinc, or slate laid on a sheet of asbestic paper or of asbestic cement shingles or other incombustible material which may be adopted or prescribed by a By-law of the City Council.

2 Geo. V., ch. 55, art. 34.

588. Every infringement of the provisions of the two preceding sections shall be punishable by a fine not exceeding thirty dollars, and, in default of payment, by an imprisonment not exceeding thirty days.

If the party so condemned does not cause such building to be removed within the eight days following such condemnation, such party may be sued for a further similar fine for every day he neglects to have such building removed or to comply with the law.

57 Vict., ch. 58, art. 18.

589. The municipal council of the city may pass a By-law to permit the facing of certain houses or parts of houses or other buildings with incombustible materials other than brick.

9 Ed. VII., ch. 80, art. 6.

590. The municipal council of the said city is authorized to pass a By-law to order that in certain parts of the city or in certain streets or parts of streets, houses or other buildings shall be built in the manner prescribed by such By-law as regards symmetry, materials, the rules of solidity and hygiene, protection against fire and other objects.

9 Ed. VII., ch. 80, art. 4.

591. The city is authorized to order by By-law, that in certain streets or parts of streets, considered non-commercial, the buildings to be built thereon shall be built only at a certain distance from the line of such street.

3 Geo. V., ch. 53, art. 15.

PROVISIONS RESPECTING THE STREETS OF THE CITY.

592. Every street which shall hereafter be opened within the limits o fthe city, shall be at least sixty feet wide; and when a street already in existence is widened, it shall, after such widening, be at least forty feet wide; but Ste-Cecile street, in its prolongation towards the street called "Boulevard Langelier," may be thirty-eight feet wide and not less.

60 Vict., ch. 59, art. 2.

593. Bagot street, in its extension to St. Joseph St., may be of a width of not less than thirty feet.

8 Ed. VII., ch. 83, art. 7.

594. The strip of land communicating between Hamel and Charlevoix streets, in Palace ward, as shown on the official cadastre as a projected street, may be opened as a street to its present width.

57 Vict., ch. 58, art. 21.

595. The projected streets on the plan of the official cadastre of the land known as St-Maloville, or other streets in St-Valier ward, may be opened to the width given them on the said plan.

57 iVct., ch. 58, art. 22.

596. The City of Quebec and the North Shore turnpike road trustees are hereby authorized to enter into an arrangement for the transfer to the said city of such portion of the Cap-Rouge roads as adjoins the City

of Quebec and fronts on the land above described, upon which conditions as may be agreed upon between them; and, in the event of such arrangement being made, the North Shore turnpike road trustees shall have a right to collect the same rates of toll upon all roads under their control as they are now permitted to collect, notwithstanding that any such road maintained by them shall be less in length than that fixed by section 10 of the ordinance 4 Victoria, chapter 17.

1 Ed. VII., ch. 42, art. 7, 2nd parag.

597. The corporation shall and may retake possession, without payment of any indemnity of the ground of any street, road, market or other public places, upon which any person may have encroached.

29 Vict., ch. 57, art. 33, parag. 2.

598. The city engineer and inspector or inspectors of roads shall visit the streets, roads, lanes, bridges, market-place, and other places, and generally all the property of the said corporation, and cause all obstructions to be removed therefrom and also all encroachments, by the persons liable or interested therein, by giving such persons notice in writing, either by serving or causing it to be served upon theem personally, or by leaving or causing to be left such notice at their domicile or place of business, in charge of a reasonable member of their family, or person in their employ, requiring them to remove and suppress the said obstructions and encroachments, within a reasonable time to be specified in such notice, and in default of their doing so within the time to be so specified, the said inspectors or any or either of them, shall cause the said obstructions to be so removed and the said encroachments to be suppressed, at the cost and charges of such persons, which cost and charges may be recovered, by a suit for debt brought in the Recorder's Court in the name of the said corpora-

tion, of and from such persons, together with the cost of such suit or action, and such persons shall further be liable to a penalty, not exceeding forty dollars for non-compliance with such notice.

29 Vict., ch. 57, art. 33, parag. 3; 61 Vict., ch. 52, art. 29.

599. The sidewalks in all the streets of the city shall be made, kept up and repaired by the proprietor of each immoveable or property fronting on such sidewalk.

If such proprietor neglects to make, keep up, repair or renew such sidewalks, as the case may be, the chief of police shall give him notice in writing to do what is necessary to such sidewalks. This notice should be addressed to or left at the domicile of such proprietor, if he is a resident of the city, or at the house of the occupant of the said immoveable, if such proprietor does not reside in the said city; if the said immoveable has no occupant, then the said notice is not necessary.

If, within eight days following the said notice the works required to be done to the said sidewalks have not been done, then such works shall be done by the corporation, which may compel the proprietor to reimburse the cost thereof. This sum is recoverable as a tax, and in the same manner, and with the same privileges as all other taxes imposed upon real estate in the city; but the proprietor, except in cases of express agreement to the contrary, has no right to oblige his tenant to reimburse him any portion whatever of the same.

600. The curb-stone of every sidewalk in the said city forms part of the said sidewalk; and the said Council may, by resolution to that effect, decree and indicate the streets in which such curb-stone shall be of stone, whatever may be the materials of which the sidewalk is made in such streets, and after such resolution passed

by the Council, the city engineer may, at any time, if he deem it necessary and expedient, require that such curbstone be laid in stone, the cost being divided between the city and the proprietors, as for the sidewalk itself.

56 Vict., ch. 50, art. 5; 61 Vict., ch. 52, art. 29.

601. Every proprietor who shall so neglect to make, renew, maintain or repair such sidewalks, as the case may be, within eight days from the receipt of such notice, shall be also liable to a fine not exceeding forty dollars, and, in default of the payment of such fine and costs, to an imprisonment not exceeding eight days. After such first condemnation, a similar fine may also be imposed upon such person so in default for every day he shall neglect to do what he is obliged by law to do as aforesaid.

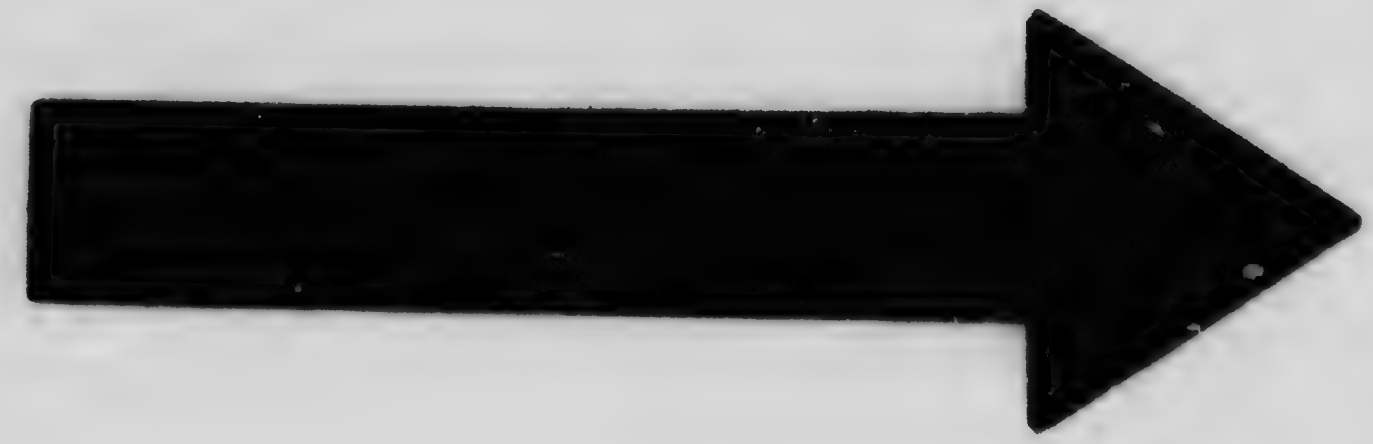
60 Vict., ch. 59, art. 5.

602. If the proprietor of land who is bound to make a sidewalk in any street of the city, offers the latter to make the said sidewalk in stone, in asphalt blocks, in asphalt or in cement, the whole upon a concrete foundation at least four inches thick, in such case, if the city engineer has authorized and accepted the same, the City of Quebec shall repay to the said proprietor one-quarter of the cost or of the value of the said work.

603. Without prejudice to the provisions of the law respecting the making and repairing of sidewalks of the city, the city may, with the consent of three-fourths of the owners of lots on a street or part of a street in the city, make a sidewalk with uniform materials of the said kind on such street or part of street.

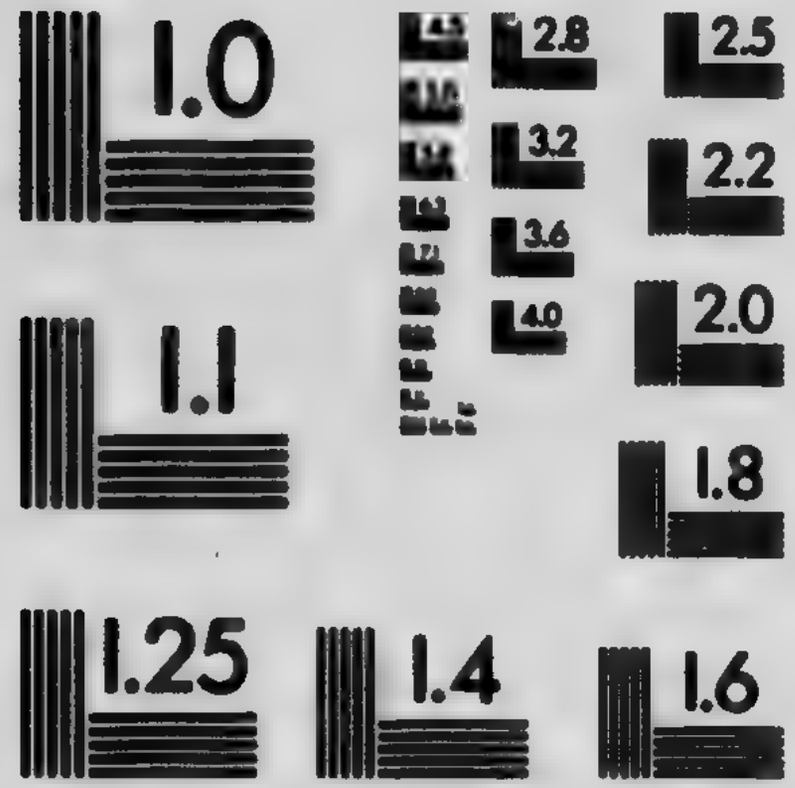
1 Geo. V., ch. 47, art. 8.

604. The said sidewalk may be made on both sides of the said street or one side only, according to the con-



MICROCOPY RESOLUTION TEST CHART

(ANSI and ISO TEST CHART No. 2)



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sent of the three-fourths of the said owners of lots on either side of the said street.

1 George V., ch. 47, art. 9.

605. The said consent shall be given by a written document signed by three-fourths of the said owners, and shall be deposited in the office of the city clerk and be submitted for approval of the City Council.

1 George V., ch. 47, art. 10.

606. The Council shall thereupon, by resolution, determine what materials shall be used in making the sidewalks; and after the passing of the said resolution, the city engineer shall call for tenders for making such sidewalks in the same manner as tenders are called for paving streets.

1 George V., ch. 47, art. 11.

607. To pay the cost of such works the city may, and as the same may be necessary, issue and sell bonds in the manner set forth for the loan authorized by the foregoing sections of this act, the proceeds of the bonds to be exclusively devoted to paying the cost of such works.

1 George V., ch. 47, art. 12.

608. The owner of land liable for the cost of the sidewalk shall repay to the city, on demand, one-half of the cost in default whereof the amount so due may be recovered by suit before the Recorder's Court. Such claim shall have the same privilege as municipal assessments and taxes.

1 George V., ch. 47, art. 13.

609. All amounts repaid to the city by the owners for their half of the cost of the sidewalks, shall be placed

in the sinking fund established for the payment of the bonds at maturity.

1 George V., ch. 47, art. 14.

610. When the city lays a permanent pavement in a street or portion of a street, it may at the same time, also make a uniform sidewalk of materials considered permanent and have itself reimbursed one-half of the cost of such sidewalk by the owners of the buildings or lots in front of which such sidewalk is made.

The amount recoverable for such purpose shall be a privileged claim like the assessments and taxes due the city and be recovered from the debtor by suit before the Recorder's Court of the city.

2 George V., ch. 55, art. 18.

611. When a street in the city runs along a lot situate in an adjoining municipality, the proprietor or occupant of such lot shall remove the snow from the half of the street on his side and shall make a sidewalk thereon in the same manner as persons are bound to do whose lots are situate in the city.

2 Geo. V., ch. 55, art. 20.

612. The city may on a resolution of the City Council to that effect, make a sidewalk, wholly or partly of such materials as it may consider of a permanent nature, even when it does not pave the roadway, and it may then cause one-half the cost of such work to be refunded to it by the owners of the buildings or lots along which the said sidewalk is so made.

3 George V., ch. 53, art. 13.

613. Any person desirous of building, reconstructing, demolishing, or repairing, any house, building, enclosure or wall on any street, road, lane, or public place, shall give notice to the city engineer of the time when

such work will be commenced and finished, and obtain from him or other person duly authorized, a permit stating the width upon any such street, road, lane, or public place, such person may occupy, for placing building material or rubbish thereon, and such width shall not exceed one-third of the said street, road, lane, or public place, and shall be enclosed by the person so building, demolishing or repairing, by a wooden fence of at least ten feet high; any person violating any of these provisions shall be liable to a penalty not exceeding forty dollars.

29 Vict., ch. 57, art. 33, parag. 5; 61 Vict., ch. 52, art. 29.

614. The said corporation may charge a reasonable fee for such permit to the person to whom it shall be given.

29 Vict., ch. 57, art. 33, parag. 6.

615. No gallery, window, portico, staircase or other obstruction shall extend or project from any house or building into or beyond the line of any street, lane, road or public place in the said city otherwise than in such manner as may be prescribed and permitted by the By-laws of the municipal council of the said city.

9 Ed. VII., ch. 80, art. 5.

616. The city shall have power to grant to railway and street railway companies, making use of electricity, horses or other motive power, permission to make use of the streets for the purpose of laying their rails.

57 Vict., ch. 58, art. 19.

617. The City Council shall first determine by resolution all the conditions on which it intends to grant such permission; and, when the city and the said company shall agree upon all the said conditions, a By-law

shall be made and passed by the said City Council comprising all the said conditions of the said permission, the said By-law to come into force only after the passing of a notarial contract between the parties, based on the said By-law and in conformity therewith.

57 Vict., ch. 58, art. 20.

618. From the first day of November until the first day of May in each year, the proprietors or occupants of houses, lots or vacant spaces of ground in the city, shall keep in repair and good condition, the roads whereby their property is bounded on every side, conformable to the regulations which may be in force.

29 Vict., ch. 57, art. 33, parag. 8.

EXPROPRIATION FOR PUBLIC IMPROVEMENTS.

619. The Council of the said City of Quebec shall have full power and authority to provide by a By-law of the said corporation for opening, extending or widening of streets, public highways, places or squares, or the construction of public buildings, and to order at the same time that such improvement shall be made out of the city funds, or that the costs thereof shall be assessed in whole or in part upon the pieces or parcels of land belonging to parties interested in, or benefited by, the said improvement, and to purchase, acquire, take and enter into any land, ground or real property whatsoever within the limits of the said city, either by private agreement or amicable arrangement between the corporation of the said city and the proprietors or other persons interested, or by complying with all the formalities hereinafter prescribed, for opening streets, public squares, markets, or other public places, or for continuing, enlarging, or improving the same, or a portion of the same, or as a site for any public building to be erected by the said Council.

29 Vict., ch. 57, art. 35, parag. 1.

620. The construction of public municipal buildings may be decided and ordered by resolution of the City Council.

2 Ed. VII., ch. 48, art. 6.

621. All corporations or bodies, and all husbands, tutors, guardians, curators, **grevés de substitution**, or trustees who are or shall be seized or possessed of, or interested in, any piece or pieces, lot or lots, of ground or real property within the said city, selected and fixed upon by the said Council for any of the purposes aforesaid, may not for themselves, but for and on behalf of all persons whom they represent, or for whom, or in trust for whom they are, or shall be, seized, possessed or interested, whether minors, issue unborn, lunatics, idiots, **femes covert**, or other persons, contract for, sell and convey such piece or pieces, lot or lots of ground or real property to the said corporation; and such contracts, sales and conveyances shall be valid and effectual in law, to all intents and purposes whatsoever, any law or custom to the contrary notwithstanding; and all corporations and persons whatsoever so contracting, selling or conveying as aforesaid, are hereby indemnified for and in respect to such sale or cession which he, she, or they shall respectively make by virtue of, or in pursuance of this act, without, however, diminishing, in any manner whatever, the responsibility of such corporations and persons towards those whom they represent, as regards the purchase money or compensation of such sales or conveyances.

29 Vict., ch. 57, art. 35, parag. 2.

622. In case the Council of the said city, after having resolved upon undertaking and carrying out any of the said works or improvements for which it has been necessary to acquire one or more lots of ground or real property, or any part of such lots of ground or real pro-

perty, within the limits of the said city, cannot come to an amicable arrangement with the persons seized or possessed of, upon any title whatsoever, or interested in, the said lots of ground or real property, or any part thereof; or who may be absent or unknown, as regards the price or compensation to be paid for the said lots of ground or real property, or any part thereof (the said corporation, however, shall not be bound to take any step or proceeding towards securing such amicable arrangement), such price or compensation shall be fixed and determined in the following manner, to wit:

29 Vict., ch. 57, art. 35, parag. 3.

623. Whenever the city cannot come to an understanding with the vendor or person entitled to compensation:

1. Upon the price of an immoveable or portion of a immoveable, or a servitude which the city wishes to acquire, either in connection with the water-works or for the widening, opening or extension of the streets, or as a lot for some municipal building, or the establishing of public parks or squares, or for acquiring an active servitude, right of way, opening a drain or introducing pipes;

2. Upon the price of a servitude upon any immoveable, situate within or without the limits of the city;

3. Upon the amount of damages caused by changing the level of a sidewalk within the city;

4. Finally upon any object whatsoever connected with public improvements, and within the powers of the Council;

In such case the city engineer shall deposit in the office of the city clerk a certificate showing the amount of the price or compensation which he thinks should be allowed the vendor or the person entitled to such compensation on account of such immoveable or portion of

immoveable or of any servitude and expropriation whatsoever as above mentioned.

53 Vict., ch. 68, art. 5; 61 Vict., ch. 52, art. 29.

624. The amount mentioned in such certificate is then tendered by notarial deed to the said vendor or the person entitled to such compensation.

53 Vict., ch. 68, art. 6.

625. If the offer be not accepted, a copy of the deed of tender is deposited in the office of the said city clerk, and the city then applies by petition to the Superior Court, sitting at Quebec, or to a judge thereof, for the appointment of three experts to inspect the place and establish the price or amount of the compensation to be allowed.

A notice of the petition shall be served, at least three clear days before it is presented, upon the person to whom the tender has been made.

53 Vict., ch. 68, art. 7.

626. If the person entitled to such price or compensation has no dimicile in the said city, such offers may be made to his agent or attorney, managing such property; in such case, notice of the said petition may be served at the domicile of such agent or attorney.

53 Vict., ch. 68, art. 8.

627. As soon as the petition is presented, the said city may deposit in the office of the said Superior Court, the amount of such legal tender and, after such deposit, the city may take possession of any such immoveable or part of an immoveable mentioned in the petition and exercise the powers conferred upon it by law as if the compensation had been finally determined and paid.

53 Vict., ch. 68, art. 9.

628. Articles 396, 397, 398, 399, 400, 401, 402, 403, 406, 408, of the code of civil procedure apply to references to experts under the charter of the City of Quebec.

61 Vict., ch. 52, art. 25.

629. The experts are entitled to a fee of four dollars a day for the period during which they perform their duties.

53 Vict., ch. 68, art. 11.

630. Immediately after the appointment of the said commissioners, it shall be the duty of the city surveyor to furnish them with a plan or map showing the proposed improvement, as also the pieces or parcels of ground or real estate to be expropriated.

29 Vict., ch. 57, art. 35, parag. 7.

631. The experts may hear the witnesses produced before them by the parties, and at their expense, and also the parties if they deem advisable.

Such witnesses and the parties may be sworn by one of the experts, the examination shall be **vivâ voce**, and the depositions shall not be taken down in writing.

53 Vict., ch. 68, art. 12.

632. The report of the experts shall be made on or before the day fixed for that purpose by the court or judge; it is signed by the experts or made in notarial form and **en brevet.**

In the case of difference of opinion between the experts as to the amount of the price or compensation, their award has full force and effect if two of them agree.

A statement of the costs must accompany the report.

53 Vict., ch. 68, art. 18.

633. As soon as the experts' report is filed in the office of the said court, the city or the parties interested may, after three days' notice to the parties interested, apply to such court or to a judge thereof for homologation of the report to all intents and purposes; and the said court or judge, as the case may be, after ascertaining that the proceedings and formalities, above prescribed, have been duly followed, confirms and homologates the report, which, as regards the parties concerned, is final and without appeal.

53 Vict., ch. 68, art. 14.

634. If the amount awarded by the experts does not exceed the amount tendered the party expropriated may be condemned to pay all the costs of the expropriation; in the contrary case, such costs may be given against the city.

53 Vict., ch. 68, art. 15.

635. If the amount deposited in the prothonotary's office by the city is less than that awarded by the experts, the city shall, within eight days from the homologation of the report, deposit the difference in the said office.

53 Vict., ch. 68, art. 16.

636. As soon as the deposit is made after the homologation of the experts' report, the prothonotary delivers to the city a certificate **(acte)** of such deposit with the description of the immoveable expropriated, and such certificate **(acte)** of deposit constitutes a legal title in favor of the city to the ownership of such immoveable, and is registered accordingly.

53 Vict., ch. 68, art. 17.

637. The said expropriation has the same effect as a judicial sale, as well as in the cases where the compen-

sation is established by mutual agreement.

If the City Council deem it advisable, it may expropriate the whole or a portion only of the immoveable.

53 Vict., ch. 68, art. 18.

638. After delivering such certificate of deposit, the prothonotary must, at the request of any party interested, and at the expense of such party, obtain a registrar's certificate in connection with the said immoveable; he shall also publish, during two consecutive weeks in the Quebec Official Gazette, and twice in an English and in a French newspaper, published in the city, a notice of such deposit, ordering the filing, within eight days from the final publication of the notice, of all oppositions for payment.

53 Vict., ch. 68, art. 19.

639. After the expiration of the delay for filing the oppositions, the prothonotary draws up a report of distribution of the amount of the deposit as in ordinary cases before the court.

Nevertheless, the amount of the deposit is not liable to any tax, commission or impost whatsoever.

The costs adjudged or taxed in favor of an interested party, or incident to the proceedings, shall be collocated in favor of those who are entitled to the same.

53 Vict., ch. 68, art. 20.

640. The corporation of the said city may open, continue or widen any streets or highways, and establish public parks or squares, beyond the limits of the said city, and acquire any piece or parcel of land required for any of the said purposes, in the same manner, and by following the same formalities as those prescribed in and by the present act, for similar improvements within the limits of the said city; provided, always, that before exercising any of the powers conferred upon it, by the

present section, the said corporation shall obtain the consent of the municipality within the limits of which such powers are to be exercised, and such last mentioned municipality is hereby empowered to exempt from any tax or assessment, if it sees fit so to do, the public parks, squares or public places to be opened or established as aforesaid.

29 Vict., ch. 57, art. 35, parag. 22

641. Corporations, ecclesiastical or civil, whose property or any part of whose property, shall be conveyed to, or taken by the said corporation of the City of Quebec, under the authority of this act, may invest the price or compensation paid for the property so conveyed or taken, in other real property in any part of this Province, and may take and hold the same, without Her Majesty's letters of mortmain, any law to the contrary notwithstanding.

29 Vict., ch. 57, art. 35, parag. 23.

642. Every person without a domicile or place of business without the limits of the said city, shall be deemed to be absent, within the meaning of the present section.

29 Vict., ch. 57, art. 35, parag. 30.

643. Any bailiff of the Superior Court for the district of Quebec may serve and post up the notifications required by the present section, and make a return thereof under his oath of office.

29 Vict., ch. 57, art. 35, parag. 31.

644. The city is authorized to build one or more free bridges over the river St. Charles to connect Limoilou ward with its other wards and to borrow for such purpose a sum of not more than one hundred and fifty thousand dollars.

It may also subscribe in favor of any person, firm or company a certain amount to aid in building the said bridge or bridges.

Such rights shall not be exercised by the city until it has obtained the consent of the North Shore Turnpike Trustees.

The city may expropriate any land required for such purpose, in accordance with the provisions of its charter.

1 George V., ch. 47, art. 30.

645. The roads now under the control of the Quebec North Shore Turnpike Trust, and which are now within the city limits shall be maintained by the city and be under its control, when the city has built such bridges and opened them for travel.

1 George V., ch. 47, art. 31.

646. Such bridges and their approaches form part of the streets and the roads of the city for all purposes whatsoever, and shall be subject to its laws and By-laws.

5 George V., ch. 88, art. 6.

THE CITY WATER WORKS.

647. The Corporation of the City of Quebec is authorized to make, erect, construct, repair and maintain, in the City of Quebec, and without the limits of the said city for a distance of fifty miles, water works, together with all appurtenances and accessories necessary to introduce, convey and conduct throughout the said city and parts adjacent a sufficient quantity of good and wholesome water, which the said corporation is authorized by the present act to take and distribute for the use and supply of the inhabitants of the said city, and for the parts thereto adjacent; and also to improve, after or remove the said water works or any part or parts thereof; and to change the site of the several engines and

places or sources of supply thereof; and also to erect, construct, repair and maintain all the buildings, houses, sheds, ensigns, water-houses, reservoirs, cisterns, ponds and basins of water, and other works necessary and expedient to convey water to the said city and parts adjacent thereto:—For this purpose the said corporation may purchase, hold and acquire any lands, tenements and immoveable estates, servitudes, usufructs and hereditaments in the said city, or within a circuit of fifty miles from the limits of the said city; and also to make contracts for the acquisition of lands necessary for the said water works; acquire a righ tof way whenever it may be necessary; pay any damages occasioned by such works either to buildings or lands; enter into and make agreements and contracts with any person for the construction of the said water works in whole or in part; superintend and direct the works completed; name and appoint an engineer and all officers and laborers necessary, and fix their salaries or wages; enter during the day-time, upon the lands of private individuals for the purposes aforesaid and also make excavations and take and remove stones, soil, rubbish, trees, roots, sand, gravel and other materials and things, but by paying or offering a reasonable compensation for the said materials and things, and by conforming in all things with the provisions of this section.

29 Vict., ch. 57, art. 36, parag. 1; 59 Vict., ch. 47, art. 12.

648. All persons, companies, or corporations are forbidden to establish an intake for public waterworks without the permission of the Quebec Public Utilities Commission above the dam for the city water-works on the river St. Charles, on Lake St. Charles or on their tributaries.

3 George V., ch. 53, art. 14.

649. The said corporation may assign and make over, for a period not exceeding twenty years, all the rights and privileges conferred by the present section, and may re-purchase them after having been so assigned.

29 Vict., ch. 57, art. 36, parag. 2.

650. All bodies politic or corporate, or corporate or collegiate corporations, aggregate or sole, communities, husbands, tutors or guardians, curators, **grevés de substitution,** executors, administrators and other trustees or persons whatsoever, are authorized to sell to the said corporation such lands, tenements, servitudes, usufructs and hereditaments, which the said corporation may require for the purpose of the present section, and whic hthey may be possessed of in their present qualities; they may also agree with the said corporation in the same way as private individuals, respecting all matters relative to the works mntioned in the tenth and eleventh subsections **(art. 652 and 653 hereafter),** of the present section; and all contracts, agreements, references to arbitrators, sentences and verdicts rendered for or against them, shall be equally binding upon those whom they represent, wherever the property or interests of such may be concerned.

29 Vict., ch. 57, art. 36, parag. 3.

651. The Governor-in-Council may grant or give to the corporation, on such condition as he may deem expedient, beach, lots or ground covered by water, to enable the said corporation more fully to carry this section into effect.

29 Vict., ch. 57, art. 36, parag. 4.

652. The said corporation shall have power to dig, break up and remove the soil, fences, sewers, drains, pavements, gravelled ways, of any public highways, roads, streets, squares, hills, market places, lanes, open

areas, alleys, yards, courts, waste grounds, footways, quays, bridges, gates, tollgates, enclosures, ditches, walls, boundaries, and other passages and places, but making or causing no unnecessary damage, and to enter upon and make use of any private lands, and use the same, and to dig and sink branches, and lay and drive pipes, appurtenances and accessories thereof, and to widen common passages, for the laying and fixing of pipes and all such matters and things as may be necessary thereto, and necessary to convey the water to houses, or other buildings, and also to alter, repair, replace and maintain such pipes, and other materials, and works, and finally make and do any other act, as shall or may be necessary or expedient for the purposes of the present section.

29 Vict., ch. 57, art. 36, parag. 10.

653. It shall be lawful for the said corporation to pass pipes along the outside of any house or other building, to furnish water to any other property, and open and unpave common passages, and make trenches to lay pipes and other appurtenances and accessories, and in such case shall indemnify the proprietors for any damage occasioned to or sustained by them.

29 Vict., ch. 57, art. 36, parag. 11.

654. Whoever, having the right to do so, shall open or cause to be opened any trench, shall take care to preserve a free and uninterrupted passage through the street or place, while the works are in progress, and shall fill up the trenches and replace the pavement and ground in the same condition as that in which they were before the works were begun, and without unnecessary delay; and shall cause the place where the ground shall be opened, or broken up as aforesaid, to be fenced or guarded with lamps, or with watchmen during the night, so that the same may not be dangerous to passengers,

upon pain of a fine or penalty of twenty dollars, to be recovered before the Recorder's Court, by summary process and upon oath of one credible witness; this fine shall not deprive any person injured by the said excavation of a right to an action of damages against the corporation.

29 Vict., ch. 57, art. 36, parag. 12.

655. The said water works and the accessories thereof shall be so located and maintained as in nowise to endanger the public health or safety.

29 Vict., ch. 57, art. 36, parag. 13.

656. Whoever, not having any right thereto and without the authority or permission of the Council of the said city, shall take or use, in any manner whatsoever, water from the said water works, shall incur, on conviction for the said offence, before the Recorder's Court of the said city, a fine not exceeding one hundred dollars, and in default of payment of the said fine with costs, shall be imprisoned and kept at hard labor, in the common gaol of the District of Quebec, for a period not exceeding three months, unless the fine, costs of prosecution and of imprisonment, be sooner paid.

29 Vict., ch. 57, art. 36, parag. 14.

657. If any person shall bathe, or wash, or cleanse anything in any of the reservoirs, cisterns, ponds, lakes, basins or fountains from whence the water to supply the said city is obtained or conveyed, or shall throw or put any filth, dead carcass, or other noisome or offensive thing therein, or cause, or permit the water of any sink, sewer, or drain, to run or be conveyed into the same, or cause any other annoyance or derangement to be done to the said water, such person shall be liable for each offence to a fine not exceeding one hundred dollars of which one-half shall belong to the said corporation, and

the other half to the informer, whcih said fine shall be levied in the manner prescribed by the next proceeding subsection; if the said recorder's court, before which shall be brought any complaint for the commission of any of the offences above mentioned, shall deem it expedient, the offender shall be condemned, in addition t othe fine or fines above mentioned, to an imprisonment not exceeding three months in the common gaol of the District of Quebec.

29 Vict., ch. 57, art. 36, parag. 15.

658. It is forbidden:

1. To float timber on Lake St. Charles and the river St. Charles above the dam constructed by the city on the said river, in the parish of St. Ambroise de la Jeune Lorette for the purposes of its waterworks;

2. To float timber o nthe river Jaune from the Pelletier mill near the bridge leading to Stoneham, to the river St. Charles;

Any any person, firm, company or corporation violating any of the provisions of this act shall be liable to a penalty for each day of such violation of not less than five hundred dollars and not more than one thousand dollars and to imprisonment for not less than three months and not more than twelve months.

1 George V., (2nd session), ch. 59, art. 39.

659. It is forbidden to erect any building on the banks of the river St. Charles above the intake of the city waterworks, or on the shore of Lake St. Charles, the sewerage from which might fall into the said river or Lake St. Charles.

5 George V., ch. 88, art. 10.

660. All persons whosoever are forbidden to make winter roads on the ice of Lake St. Charles and of the river St. Charles above the intake of the city water-

works; nevertheless, riparian owners through whose properties the river St. Charles runs may make winter roads across the ice for their personal needs.

5 George V., ch. 88, art. 11.

661. All persons whomsoever, other than the riparian owners, who shall not be affected by this act, are forbidden to use canoes, boats or other vessels for navigating on the river St. Charles above the dam of the city waterworks in the parish of St. Ambroise de la Jeune Lorette; and every person infringing this provision shall be liable to a fine not exceeding one hundred dollars, and, in default of payment of such fine and costs, to imprisonment for not more than three months.

The following persons shall be deemed owners within the meaning of this paragraph:

a. Any person who was the owner, or occupant as tenant or usufructuary, on the 15th December, 1915, of a lot of land fronting on the said river St. Charles above the waterworks dam of the City of Quebec.

b. Any person who may be the owner or occupant as tenant or usufructuary, after the 15th December, 1915, of a lot of land fronting on the said river St. Charles above the waterworks dam of the City of Quebec, and on which lot a dwelling-house, chalet or cottage of the value of two hundred dollars or over, is or may be erected;

c. The members of the family of such owner or occupant who live with him.

The guests of such riparian owner making use of the latter's boats and under his responsibility, shall have the same rights as himself.

Twelve months from the date of his acquisition or occupation of a vacant lot fronting on the said river St. Charles, above the waterworks dam of the City of Quebec, the owner or occupant as usufructuary mentioned in sub-paragraph B. shall have no rights, as ripar-

ian owner, so long as no dwelling-house, chalet or cottage of the value of two hundred dollars or over is erected on the said lot.

The tenant mentioned in sub-paragraph B, shall be a riparian owner, within the meaning of this section, only during such time as he lives on the said lot fronting on the river St. Charles, above the dam of the City of Quebec, in a dwelling-house, chalet or cottage of the value of two hundred dollars or over.

One and the same lot fronting on the said river St. Charles above the waterworks dam of the City of Quebec, acquired or possessed, after the 15th December, 1915, by more than two persons, except through succession, shall not confer any title upon its owners or possessors within the meaning of this section.

6 George V., ch. 43, art. 12.

662. Every person operating a saw-mill on the river St. Charles, between lake St. Charles and the city waterworks' dam in the parish of St. Ambroise or on any tributary of the said river St. Charles or of the said lake St. Charles, is forbidden to throw saw-dust from such mill into or to allow the same to be carried away by the said river or tributary or by the water of the said lake, under penalty of the (article 661) fine imposed by the act 1 Edward VII, chapter 42, section 8, which fine shall likewise be recoverable before the Recorder's Court of the City of Quebec in the manner provided by law.

2 Ed. VII., ch. 48, art. 7.

663. Every person who knowingly and voluntarily soils or contaminates, in any manner whatever, the water of a well, spring ,stream, lake, pond, river or reservoir, used for drinking by men or animals, and every person who voluntarily soils or contaminates the intake of any aqueduct, whether such intake be frozen

or not, and every person who deposits in such intake or upon the ice thereof the carcass of any dead animal or any other matter injurious to health, is liable to a fine not exceeding one hundred dollars, and in default of payment to imprisonment not exceeding two months.

R. S. P. Q., art 3911.

664. If any person shall prevent the said corporation or any person employed by the said corporation, from erecting, repairing or completing any of the works of the said waterworks, or from exercising any of the powers and rights accorded by this section, or shall embarrass or shall interrupt them in the exercise of such rights, or cause any injury to the said waterworks, apparatus or accessories thereof, or obstruct, embarrass, hinder or prevent the working of the said waterworks, or the apparatus or accessories thereto belonging, or any portion thereof, or shall cause the same to be done by others, such person shall, on conviction before the said Recorder's Court, be punished by a fine not exceeding one hundred dollars, or by an imprisonment not exceeding three months, or by both at once, at the discretion of the said court, without prejudice to the damages caused, which the said corporation may recover, together with costs of suit, by an action before the said court, and the said court shall proceed in the said action as prescribed by the law regulating the said court.

29-30 Vict., ch. 57, art. 43.

665. The said corporation shall have the power to make By-laws or orders prohibiting, upon pain of a fine not exceeding forty dollars, or an imprisonment not exceeding one month, or both, any occupant of a house or any other real property or of any part thereof, supplied with water fror the said waterworks from furnishing water to others, or from using it otherwise than for his

own use, or for increasing the supply of water agreed for, or from wasting it.

29 Vict., ch. 57, art. 36, parag. 17, No. 1.

666. The corporation shall also have the power to make By-laws or orders, to regulate the time, the mode and nature of the supply of water from the said waterworks, to those to whom it ought to or shall be furnished, the price of the water, the time and mode of payment; and all and every matter or thing having reference to the said waterworks, which it may be necessary or proper to direct, regulate or determine for issuing to the inhabitants of the said city a regular and abundant supply of pure and wholesome water, and to prevent the practising of frauds upon the said corporation with regard to the water to be so supplied.

29 Vict., ch. 57, art. 36, parag. 17, No. 2.

667. The said corporation shall have power to appoint one or more inspectors empowered to enter, at all reasonable hours, into any house or building, and upon lands traversed by the water of the said water works, and to lands traversed by the water of the said water works, and to examine the cocks, pipes, service pipes, conduits, cisterns, reservoirs, or apparatus placed in such houses, buildings, lands and the dependencies thereof, and such entrances and examinations shall be regulated and determined by the By-laws for this purpose made, or to be hereafter made, by the said corporation, and to which the said inspectors and all other persons residing either permanently or temporarily in the said city shall conform and submit, under such penalties as may or shall be fixed or prescribed by the By-laws, and the fine in such case shall not exceed forty dollars, and the imprisonment shall not exceed two months in the common gaol in the district of Quebec; both these pen-

alties may be imposed together, or one or the other only, at the discretion of the court.

22 Vict., ch. 57, art. 36, parag. 18.

668. The city is authorized, on a resolution of the City Council to that effect, to enter into agreements with the community of Les Religieuses de l'Hôtel-Dieu de Quebec, and the Jeffery Hale's Hospital of the City of Quebec, for supplying such institutions with water from its waterworks, at a price not exceeding ten cents per 1,000 gallons, such contracts to be respectively for periods not exceeding five years.

And the city may effect a compromise or arrangement with Jeffery Hale's Hospital, regarding the amount due by the hospital to the city for arrears of the price of such water supply.

2 George V., ch. 55, art. 18.

669. As soon as water from the city waterworks is introduced into a street, the city shall supply and lay the water pipe from the main pipe in the street to inside the foundation of the house or building wherein such water is to be distributed, if such house or building be erected on the line of the street, and three feet beyond such line if the said house or building be not on the said line.

62 Vict., ch. 57, art. 4.

670. The city shall afterward maintain the said water pipe, but if the water freeze in it, or if the tap placed in the cellar by the city be damaged through the fault of the proprietor or occupant of the building, and if it be necessary to replace or repair the pipe or tap or to excavate the street to repair the damage, the cost threof shall be borne by the proprietor.

62 Vict., ch. 57, art. 5.

671. In the case of immoveable properties wherein water from the water works is not introduced, the tax for the said water shall be three cents in the dollar on the annual assessed value of such properties or, according to the method adopted by the Council, a percentage on the actual, real, commercial and venal value of such properties at the time of the assessment.

2 Georg eV., ch. 55, art. 16.

672. In the case of immoveable properties wherein water from the waterworks has been introduced, the tax for such water shall be twelve and a half cents in the dollar on the annual assessed value of such properties of a sum not to exceed one per cent on the actual, real, commercial or venal value at the time of the assessment, according to the method adopted by the City Council, whether the proprietors thereof consent or do not consent to receive the said water or to make use of the same.

2 George V., ch. 55, art. 17.

673. The said tax for water from the waterworks is over and above the special taxes which have been or may be imposed for the use of the water for animals or for other purposes established by law or by the By-laws of the City Council.

65 Vict., ch. 57, art. 8.

673a. For the building of its new water main, the city may use the amount of three hundred thousand dollars, repaid it by the Government of the Dominion of Canada, which amount had been granted to the Quebec Bridge Company in aid of the construction of a bridge over the river St. Lawrence, near Quebec, under the act 62 Victoria, chapter 57, section 18.

2 George V., ch. 55, art. 24.

674. At the same time that the water is introduced into a street, the city shall also lay the drains therein, including the pipes between the main sewer in the street and the buildings, as in the case of the water-pipe.

62 Vict., ch. 57, art. 9.

675. If, after the laying of the lateral drains, it should become neessary for any reason whatsoever to excavate a street for the purpose of repairing or replacing them, no such excavation shall be made by a citizen until he has first obtained permission from the manager of the water-works and it shall be made at the expense of such citizen, unless it be established by the manager of the water-works, after being put in default so to do, that such repairs are rendered necessary through some cause arising from the main sewer in the street.

62 Vict., ch. 57, art. 10.

676. No municipality shall take or allow proceedings, and no corporation, company or person shall take proceedings to carry out public or private drainage works before submitting the plans to the board of health and obtaining its approval.

R. S. P. ., art. 3909, 1st parag..

677. If the annual assessed value of a property or of any portion of a property is less than forty dollars, the proprietor shall pay to the city an annual specific tax of five dollars for water from the water-works.

61 Vict., ch. 52, art. 22.

678. The said Council, by one or more By-laws to be made as aforesaid, may impose a tax or special taxes on each horse, cow or other animal supplied with water from the said water works; or

2. On each steam-engine fed by the water of the

said water works, and on each other engine worked by the said water; or

3. On each court house, gaol or other public establishment supplied with the water of the said water works; or

4. On each theatre in the said city; or

5. On each hotel, boarding house, coffee house, restaurant or other house of public entertainment in the said city to which the water of the said water works is supplied or may be supplied according to law; or

6. On all breweries, tanneries and other manufactories supplied with water for the purposes of their manufactories.

29 Vict., ch. 57, art. 36, parag. 21.

679. On each water closet an amount of not exceeding five dollars per annum.

31 Vict., ch. 33, art. 13.

680. In each and every case in which any tax or rate for water heretofore imposed by any By-law, or which may hereafter be imposed by the said Council, by virtue of the preceding subsections, shall not have been paid within the thirty days following the day on which such tax or rate shall have become due and payable, the said Council may order the stoppage or suspension of the supply of water to any such person, institution, establishment, house or building hereinabove mentioned, by whom the said tax or rate may be due.

29 Vict., ch. 57, art. 36, parag. 22.

681. Notwithstanding the stoppage or suspension of the said supply, the said tax or rate shall continue to be due, in future, in the same manner as if the said supply were continued.

29 Vict., ch. 57, art. 36, parag. 23.

682. The cost of stoppage or suspension of the said supply shall be paid by the person, institution or establishment in arrear aforesaid.

29 Vict., ch. 57, art. 36, parag. 24.

683. The said corporation shall have the right to notify any proprietor, tenant or occupant of the brewery, distillery, manufactory, livery stable, hotel, or any building or property in which any steam-engine shall be used, or any building or property in which it shall be considered that there is, or ought to be, more than an ordinary consumption of water, that the corporation does not intend to furnish him with water from the said water works at the ordinary price, and thereupon the said corporation shall and ma ycease to furnish water to the said proprietor, tenant or occupant, who shall also cease to be held liable for the payment of the said rate or assessment with regard to such property; but the said corporation and the said proprietor, tenant or occupant, may enter into an agreement, with respect to the rate or price at which the said water shall or may be furnished to the said property; and any agreement, being reduced to writing and signed by both parties, shall be valid, and binding.

29 Vict., ch. 57, art. 36, parag. 27.

684. Hereafter the Council shall not have power to make any contract for the supply of water to be furnished to any brewery, distillery, tannery or other buildings mentioned in subsection twenty-seven of the said section thirty-six, for manufacturing purposes, or for workshops or industrial establishments, for a longer period than five years.

29-30 Vict., ch. 57, art. 44.

685. The officers appointed by the Council shall, at all reasonable times, have the right to enter upon the

premises, in respect of which any such agreement has heretofore been made or may hereafter be made, to see that the quality of water stipulated for by the agreement and no more is furnished t othe property, and the said Council may, in their discretion, cause tanks calculated to contain such stipulated quantity and no more, to be erected on such property, and cause the same to be filled daily by their officers, and all further supply of water to be cut off from the premises.

29 Vict., 57, art. 36, parag. 28.

686. The said Council is hereby authorized to cause hydrometers to be placed for the purpose of regulating, determining and measuring the quantity of water to be supplied by the said water works, either to every house or building to which the said water is or may be supplied, or to every public institution, court-house, gaol, house of public entertainment of whatsoever nature, or boarding house; or to every distillery, factory, manufactory, establishment, or art, trade, commerce or industry of any nature whatsoever, in the exercise of which the water of the water works is or may be used, or to any one of the same; and the said Council may for the purpose adopt any By-law which it may deem necessary.

29 Vict., ch. 57, art. 36, parag. 29.

687. Nevertheless, the city shall be bound to place hydrometers, to regulate, determine and measure the quantity of water to be supplied by the said water works to any institution or religious or teaching community, already exempted by law from taxation, situate within the limits of the said city, which shall apply therefor in writing, and to supply them water, as aforesaid, at a rate fixed by the City Council, but not to exceed sixty cents per thousand gallons of water, except charitable institutions supported by public subscriptions, such as the **Soeurs de la Charité de Québec,** the Asylum of the Good

Shepherd, Quebec, Jeffery aHle's Hospital, St. Bridget's Asylum, and the Ladies' Pritestant Home, for whom the rate shall not exceed twenty-five cents per thousand gallons of water. The institutions or communities which shall have obtained hydrometers, as above provided for, shall pay to the city the cost thereof and place them in position at their own expense; and the city shall have the right to inspect the hydrometers whenever they deem it expedient so to do.

57 Vict., ch. 58, art. 28; 59 Vict., ch. 47, art. 13.

688. It may compel each and every proprietor, tenant or occupant of any house or building; or each and every person, public institution, court-house, goal, hotel, house of public entertainment of any nature whatsoever, boarding house, brewery, distillery, manufactory, art, trade, commerce or industry whatsoever, as aforesaid, to pay for the fitting up and rent of any hydrometer, such sum as may be determined by such By-law.

29 Vict., ch. 57, art. 36, parag. 30.

689. All actions or suits against any one whomsoever,, for anything done under this section, respecting the water works shall be instituted within six months after the commission of the act or thing done, or in case of damages, within six months after the damage shall have been done, and the defendant may plead the general issue, offer the present act in proof, and allege that the act or thing was done under the authority of the present act, and if this shall appear to be the case, or if the action shall have been brought after the delay fixed by this subsection, judgment shall be rendered in favor of the defendant, with treble costs against the plaintiff, who shall also be bound to pay them in case where he shall make default, or discontinue the action or suit, and such costs shall be levied in the ordinary way.

29 Vict., ch. 57, art. 36, parag. 35.

690. And whereas difficulties have arisen as to the correct interpretation of the words "iccupied house and store" in the acts relating to the water works of the said city; it is hereby declared and enacted that the words "occupied house or houses" in the section of this act, relating to the water works, and in the By-laws of the Council of the said city, have signified, do signify, and shall signify any house occupied as a dwelling or for any other purpose whatever, except as a store; and the words "store and other similar buildings" in the said act and By-laws have signified, shall be held to and will signify in the said section of this act, any building whatever used for storage and sale by wholesale only of merchandize and effects, notwithstanding any matter, thing or enactment contrary thereto in the said act, section or By-laws contained.

29 Vict., ch. 57, art. 36, parag. 36.

691. Judicial or other sales of lots, the official cadastre numbers of which cover lands belonging to the city for the purposes of its water works, or used for the purposes thereof, shall not affect the rights of the city in or to such lots.

59 Vict., ch. 47, art. 14.

692. Every action, suit or claim against the city for damages is prescribed by six months, counting from the day when the right of action arose, any article or provision of the Civil Code to the contrary notwithstanding. But on such action, suit or claim can be instituted unless a notice containing the particulars of such claim and the address of the domicile of the claimant, be previously given to the said city within thirty days from the date on which the cause of the damage happened, and no such action or suit can be taken before the expiration of thirty days from the date of such notice.

The failure to give the above notice shall not de-

prive the claimants of their right of action, if they prove that they were prevented from giving such notice by irresistible force or for other reasons deemed valid by the judge or the court, subjct to the act 29 Victoria, chapter 57, section 36, paragraph 35.

6 George V., ch. 43, art. 11.

693. The Council may, by By-law, impose and levy in aid of hospitals and charitable institutions in the city only, a tax of one cent upon every entrance fee or for or upon every person admitted into a theatre, a moving picture show, amusement or concert hall, circus, playground, race course or any other place in the city where any show or performance of any kind is given at which an entrance fee is levied and exacted; compel owners, lessees or tenants of such theatres and places above mentioned, or any other person operating the same, to collect the said tax themselves, and account therefor to the city, under penalty of being personally responsible therefor; and adopt any other measure it may deem necessary for securing the collection of such tax, and even reserve to itself the exclusive right to sell tickets. And for every infringement of any By-law passed under this section by the person holding a license for any such theatre or any place above mentioned, the city may impose as a penalty, in addition to that already provided by the charter, the suspension or even the cancellation of such lecense.

The proceeds of such tax, after deducting the expense incurred by the city fo rthe purpose of collecting the same or otherwise, shall be distributed among the hospitals and charitable institutions of the city, but in no case shall the tax be recoverable from the owners of places of amusement above mentioned.

6 Geo. V., ch. 43, art. 10.

694. The municipality may, by By-law modify the rates of the duty payable in its territory, under article 5962v, provided that no rate shall exceed ten cents, and may make such regulations as may be deemed expedient for the purpose of carrying into effect the provision of this section in its territory.

9 George V., ch. 61, art. 5956y.

695. Any municipality which, under any law or By-law in force, prior to the twenty-second of December, 1910, was bound to distribute to hospitals and charitable institutions one cent of each entrance duty collected for admission in a place of amusement, after deducting from such one cent its proportion in the expenses incurred for the imposition, collection and administration of such entrance duties, shall be bound to do so hereunder in the manne restablished by such law or By-law.

9 George V., ch. 61, art. 5656 Za.

696. The duties colected in virtue of this section or in virtue of any By-law or resolution passed thereunder, shall form part of the general funds of the municipality where the place of amusement is situate.

9 George V., ch. 61, art. 5956 Z.

697. The city is hereby authorized to contribute a sum not exceeding one thousand dollars towards the erection of a statute to Jacques Cartier in the City of Quebec.

2 George V., ch. 55, art. 31.

698. The City of Quebec is authorized to pay a sum of five hundred dollars as a subsidy to the Anti-alcoholic League of Quebec.

2 George V., ch. 55, art. 35.

699. The contract made between the Quebec Ex-

position Company and the City of Quebec, on the 2nd March, 1912, before Joseph Allaire, Notary Public, is ratified to all intents and purposes and declared legal and valid. The city of Quebec is in consequence authorized to borrow, for the purchase of the property belonging to the Quebec Exposition Company, a sum not to exceed two hundred ~~thousand~~ dollars and to issue for that purpose bonds in the manner above mentioned.

2 George V., ch. 55, art. 4.

700. The City of Quebec may hold exhibitions on the property purchased from the Quebec Exhibition Company and appoint persons or commissioners for the organization and administration of such exhibitions, who shall be responsible to it. The ground forming part of the said property may also be used and employed for other objects of public utility.

2 Geo. V., ch. 55, art. 5.

701. The contract spassed between the City of Quebec and the Dorchester Electric Company on the 15th November, 1910, and the 28th January, 1912, before Joseph Allaire, Notary, are ratified and confirmed and the contracting parties are authorized to fulfil and execute the conditions and do anything that may be necessary to give effect thereto.

2 George V., ch. 55, art.

702. The city is authorized to sell or transfer to any railway company, to the Government or to any corporation having expropriation powers, that portion of the property described in the deed of sale executed on the 28th April, 1896, by the General Hospital of Quebec, to the City of Quebec, before Jos. Allaire, N.P., under the number 7130 of his minutes, which will be required for railway purposes. The indemnity to which the General Hospital is entitled shall be determined accord-

ing to the city's expropriation laws and shall be payable by the said city. In default of the city proceeding within a delay of two months from such sale or grant, the General Hospital as well as the city, may, for the same purpose ask for the appointment of experts.

3 George V., ch. 53, art. 18.

703. The deed passed on the 30th October, 1913, before R. C. de la Chevrotiere, Notary, between the City of Quebec and the Sisters of Charity of Quebec, is declared valid and legal.

4 George V., ch. 72, art. 11.

704. Clauses 2, 4, 5 and 12 of a contract recently passed before H. O. Roy, Notary, between His Majesty, the City of Quebec and other parties, respecting the construction of the National Transcontinental Railway and its accessories, in the city, which clauses are reproduced in the schedule annexed to this act, are declared valid.

4 George V., ch. 72, art. 15.

705. Notwithstanding any law to the contrary, the city is authorized to approve and accept the transfer, sale or conveyance by the Dorchester Electric Company or any trustee to any other person or company, of the rights, privileges, and franchises now exercised by it within the city limits, provided the transferee assumes all the obligations of the Dorchester Company in connection with lighting; and such transfer, sale or conveyance, an dthe exercise of such rights, privileges and franchises in the city and outside of the same, especially in the counties of Quebec, Portneuf and Champlain, and the construction of a transmission line by any other person or corporation, are hereby authorized.

The city is further authorized to enter into a contract with the Shawinigan Water and Power Company, or the Quebec Railway, Light, Heat and Power Com-

pany, or the Stadacona Hydraulic Company, or with any company or person for the purchase of electric current for motive power, heat and light purposes within the city limits; and, notwithstanding any law to the contrary, any company entering into such a contract is authorized, if necessary, after the passing of such contract, to construct transmission lines and to transmit electric current to the limits of and including the territory of the City of Quebec; and for such purposes it may exercise the necessary expropriation powers in accordance with the Railway Act of this Province.

5 George V., ch. 88, art. 15.

706. The contract entered into on the 24th September, 1915, at Quebec, between the City of Quebec and the Public Service Corporation of Quebec, is declared valid for all lawful purposes; and the contracting parties are authorized to accomplish and carry out the conditions thereof, and to do all that is necessary for giving it effect.

6 George V., ch. 43, art. 17.

707. By-law No. 45 of the former town of Montcalm, respecting buildings erected on the Avenue des Braves, is ratified and confirmed for all legal purposes, as well for the proprietors of lots fronting on the said avenue as for the City of Quebec.

7 George V., ch. 59, art. 15.

708. When a child is interned in an industrial school at the expense of the City of Quebec, and such child has not had his domicile in the said city for at least six months, the city may have all the costs incurred in connection with the child ,as well as his transportation to the industrial school, paid by the city, town or county municipality within which the child previously had his domicile.

The city, town or county municipality, which pays to the City of Quebec any sum of money under this section, may recover the same from the person bound to support the child.

George V., ch. 89, art. 8.

709. The city is authorized to impose and levy upon any tenant of an immoveable or part of an immoveable occupied as a residence, an annual tax not exceeding three per cent of the rental value of such immoveable or part of immoveable as entered on the valuation roll then in force. Nevertheless, the owner of any immoveable or part of immoveable shall not be responsible for the tax imposed upon the tenant.

Nothing in this act shall affect the By-laws nor the terms of any annexation with adjoining municipalities, as regards the rate of the tax to be paid in the annexed territories.

9 George V., ch. 89, art. 10.

710. Notwithstanding any act to the contrary passed at this session, the City of Quebec is authorized to purchase the cattle market of the Quebec Abbattoir Company for an amount not exceeding one hundred thousand dollars; however, if the City of Quebec avails itself of this authorization, it shall do so only between the first of March, 1920, and the first of January, 1922; and one essential condition of such purchase shall be that the said company shall have spent, over the above the cost of the land already purchased, of the buildings already erected and all other expenses already incurred, at least the sum of one hundred and fifty thousand dollars for the construction of abbattoirs and cold storage warehouses on its lands adjacent to the market.

If the City of Quebec exercises the powers it is given by this section, it may borrow an amount not

exceeding one hundred thousand dollars upon the conditions set forth in sections, 2, 3 and 4 of this act.

9 George V., ch. 89, art. 11.

711. The City Council may, by By-law, provide for the establishment of a pension and superannuation fund for the members of the police force and of the fire brigade, and determine the conditions thereof.

10 George V., ch. 85, art. 2.

712. In addition to the powers already conferred. the Council is authorized to regulate vehicular traffic in the streets, public places and parks of the city, so as to allow vehicles to travel only in one direction on certain streets or parts of streets, to order upon what streets vehicles with heavy loads may pass, and from what streets, alleys and public places they shall be excluded, the whole subject to the laws of the Province respecting motor vehicles.

10 Geo. V., ch. 85, art. 3.

INTERPRETATION.

713. This act shall not in any manner effect the powers and authority of the Trinity House of Quebec, but the said Council shall exercise exclusive jurisdiction over the whole limits mentioned in the third section of the present act:

2. This act shall affect in any manner the rights of Her Majesty, Her Heirs and Successors;

3. Whenever the following words occur in this act they shall be understood as meaning as follows:

4. The word "governor" shall mean the Governor-General of the Province of Canada, o rthe person administering the government thereof;

5. The words "Council," "City Council", shall mean the Council of the corporation of the City of Quebec,

unless the context necessarily or plainly indicates a different meaning;

6. The words "mayor," "alderman," "aldermen," ["councillar," "councillors,"] "members of the council," "treasurer," "city treasurer," "clerk," "city clerk," shall mean that the same are respectively the mayor, aldermen, [councillors,] members of the Council and the treasurer and clerk of the Corporation of the City of Quebec;

7. The words "corporation," "said corporation," shall mea nthe corporation of the said City of Quebec;

8. The words "recorder's court", shall mean the Recorder's Court of the City of Quebec; and the words "recorder," "said recorder," shall mean the recorder of the City of Quebec;

9. The word "act," shall also mean and comprehend the word ordinance;

10. The words "city," or "said city," mean the corporation of the City of Quebec, in conformity with the provisions of this act;

11. All words employed in the singular number or in the masculine gender only, shall mean one or more matters and things of the same kind, and one or more persons, men and women; and bodies corporate, as well as private individuals, unless the contrary shall be specially stated, or that the context plainly or necessarily conveys a different meaning; and the word "shall," shall be considered imperative, and the words "shall not," shall be prohibitory, and the word "may", shall be permissive.

29 Vict., ch. 57, art. 39.

714. All formalities prescribed by law, with reference to any matter or thing required to be done by the Council of the said city, or by its officers, or by the assessors of the said city, or by its officers, or by the assessors of the said city, or by any of them, shall be

presumed to have been done and executed until proof to the contrary.

33 Vict., ch. 46, art. 22.

715. If the day on which any thing is to be done in connection with this act is non-juridical day, such thing may be done with equal effect on the next juridical day thereafter.

33 Vict., ch. 46, art. 16.

716. This act shall be a public act.

29 Vict., ch. 57, art. 39, parag. 17.

RECORDER'S COURT

OF THE

CITY OF QUEBEC

COMPOSITION.

717. There shall be a court of record in the said city of Quebec, to be called the "Recorder's Court of the City of Quebec."

24 Vict., ch. 26, art. 1.

718. The said court shall be held daily in the town hall of the said city, or in such other building or place as shall be set apart for the purpose by the Council of the said city.

24 Vict., ch. 26, art. 5.

719. The said court shall be held by the recorder, or, in the event of his absence or inability to act, for any cause whatsoever, or when there is no recorder, by the mayor of the city, or by the mayor with a member of the Council, or by two members of the Council, or by a single member of the Council, provided that, in the latter case, such members of the Council be an advocate.

58 Vict., ch. 49, art. 25.

720. The said recorder's court may be held every day, and may sit as many times as may be necessary each day, and may sit as many times as may be necessary

each day after adjournment in contested matters, and without adjournment or notice in non-contested, penal and other matters.

61 Vict., ch. 52, art. 1.

721. The recorder of the City of Quebec shall be a barrister of Lower Canada, of at least five years standing, and shall be appointed by the crown during good conduct, he shall be **ex officio** a justice of the peace in and for the city and district of Quebec.

24 Vict., ch. 26, art. 6, parag. 1; 59 Vict., ch. 48, art. 3, parag. 1.

722. He may be dismissed by the lieutenant-governor on a joint address of the Legislative Council and Legislative Assembly.

59 Vict., ch. 48, art. 3, parag. 2.

723. His salary shall be four thousand dollars a year payable monthly in equal instalments, out of the funds of the city.

If the recorder, after having served for fifteen years resigns, or if, while in office he becomes afflicted by some permanent infirmity which prevents him from performing his duties, the city shall pay him a pension equal to three-fourth's of the salary he was receiving at the time of his resignation or disability, as the case may be, and such pension, which shall begin to run immediately after his resignation or disability, shall be paid him during his life time, and shall be exempt from seizure. This paragraph shall apply to the present recorder as well as to his successors.

1 George V., ch. 46, art. 1.

724. If the recorder, after thirty years' service, resigns, the city shall pay him a pension equal to the salary he was receiving at the time of his resignation, and such

pension shall begin to run immediately upon his resignation, shall be paid monthly, and shall be exempt from seizure.

A recorder thus pensioned shall have the right to discharge the duties of recorder in case of the absence, sickness, recusation, or at the request of the new recorder.

10 George V., ch. 85, art. 10.

725. The crown, on the application of the Council of the said city, shall appoint a deputy recorder, who shall also be a barrister of Lower Canada of at least five years standing whose salary shall not exceed two thousand five hundred dollars a year, payable monthly, in equal payments, out of the funds of the said city.

2 George V., ch. 55, art. 12.

726. The said deputy, while acting as such, shall have and possess in all respects all the powers and authority conferred upon the recorder by this act.

24 Vict., ch. 26, art. 6, parag. 4.

726a. The recorder of the city must, when required by the mayor or council, hold investigations without costs, and summon and hear witnesses for ascertaining the value of the recourse granted by law to the city for obtaining the refund, wholly or in part, of the expense of transportation, maintenance and board of persons sent to reformatory or industrial schools, houses of detention or insane asylums. The said inquiries may be held indifferently before or after internment.

10 George, V.

CLERK—HIS DUTIES.

727. The clerk of the said recorder's court shall be appointed by the Council of the said city during pleas-

ure. The person so appointed shall be a person competent to act as such.

1 George V., (2nd session), ch. 59, art.

728. The clerk of the Recorder'c Court shall be ex officio a justice of the peace for the district of Quebec.

7 George V., ch. 59, art. 16.

729. The said clerk shall appoint a deputy whom he may dismiss and replace at pleasure, and such deputy shall be a person competent to act as such, and subject to the approval of the mayor.

24 Vict., ch. 26, art. 18, parag. 3.

730. So long as he holds office, the said deputy shall fulfil all the duties, and shall be invested with all the powers imposed or conferred b ythis act on the clerk of the said court.

24 Vict., ch .36, art. 18, parag. 4.

731. The writing containing the appointment of such deputy shall be acknowledged before the recorder or before the mayor of the said city, and shall be deposited and remain of record in the office of the clerk of said court.

24 Vict., ch. 26, art. 18, parag. 5.

732. In the event of the clerk of the recorder's court and his deputy being absent or unable to act, the mayor may appoint another deputy clerk to replace them temporarily.

58 Vict., ch. 49, art. 26.

733. The clerk of the said court shall prepare and make out all the summonses, orders, writs and warrants whatsoever, which shall be issued out of or by the said court.

24 Vict., ch. 26, art. 19, parag. 1.

734. He shall enter daily, and in a succinct manner, in a register which shall be kept for that purpose, the proceedings had in each cause or complaint brought in the said court, and he shall register at length the judgments, others and convictions rendered and pronounced by the said court.

24 Vict., ch. 26, art. 19, parag. 2.

735. The clerk of the said recorder's court shall conduct before the said court all actions instituted in the name of the corporation, except in cases where the said corporation shall deem it expedient to appoint an attorney or to associate him with counsel.

29-30 Vict., ch. 57, art. 54.

736. The said clerk shall keep a record of all convictions pronounced by the said recorder's court; setting forth the names of the defendants, the nature and date of the offence, the date of the conviction, the amount of the fine or other penalty imposed; and such record shall suffice, notwithstanding any law or usage to the contrary.

29-30 Vict., ch. 57, art. 55, parag. 1.

737. In the event of the death of the said clerk, the deputy clerk shall continue to act as such, until another clerk shall have been appointed by the Council.

29-30 Vict., ch. 57, art. 55, parag. 2.

738. The clerk of the Recorder's Court or his deputy shall discharge all and singular the duties imposed by the third section of the one hundred and eleventh chapter of the consolidated statutes for Lower Canada, in so far as the said chapter may apply to the said Recorder's Court.

33 Vict., ch. 46, art. 25. **(See now R. S. P. Q., art. 3572, parag. 9 and 10, and art. 3574, 3575, 3576).**

739. The said clerk shall be governed at all times by the orders he may receive from the recorder or from the said recorder's court, as to management, administration, keeping and arrangement of the office of the court, and shall be under the exclusive control of the said recorder as to all matters relating to his office; the said recorder may suspend the said clerk from his functions, and report such suspension to the mayor of the city; such suspension shall not take place except for a violation by the said clerk of the duties and obligations imposed on him by the law; and during such suspension the deputy clerk shall discharge the duties of the said clerk.

29-30 Vict., ch. 57, art. 56, parag. 1. 4

740. The mayor shall communicate the report of the recorder to the council, who may dismiss the said clerk.

29-30 ' ch. 57, art. 56, parag. 2.

741. T .. said clerk and his deputy shall take an oath of office before the said Recorder's Court; and the said oath shall be inscribed on the back or other part of the document appointing such clerk or deputy clerk.

29-30 Vict., ch. 57, art. 56, parag. 3.

BAILIFFS.

742. The Council of the said city shall appoint from time to time, by resolution, a sufficient number of persons competent to fulfil the duties of bailiffs of the said Recorder's Court, and the said Council may dismiss such persons at any time, and appoint others in their stead.

24 Vict., ch. 26, art. 20, parag. 1.

743. Upon such appointment being made, the mayor of the said city, shall issue commissions appointing such persons bailiffs of the said court, under the seal of the city, and signed by himself and by the clerk of the said city.

24 Vict., ch. 26, art. 20, parag. 2.

744. Every bailiff shall take an oath of office in the said Recorder's Court.

24 Vict., ch. 26, art. 20, parag. 3.

745. Every bailiff, the bearer of a writ of summons, or writ of execution, or of any other writ issued out of the said court, shall make a return under his oath of office of all proceedings taken by him in relation to such writ, and such return shall suffice for all purposes whatsoever.

24 Vict., ch. 26, art. 20, parag. 4.

POWERS AND JURISDICTION OF THE COURT.

In Penal and Civil Suits.

746. The said court shall cause order to be maintained during its sittings, and may punish by fine or imprisonment or by both, any person guilty of contempt of the said court during the sittings and in the presence of the said court.

24 Vict., ch. 26, art. 16.

747. Articles 7, 8, 9, 17, 18, 19, 21, 22, 125, 126, 128, 129, 131, 132, 133, 134, 136, 137, 138, 139, 140, 141, 142, 143, 144, 147, 148, 151, 152, 215, 236, 519, 639, and 679 to 697, inclusively, of the code of civil procedure apply, **mutatis mutandis**, to the recorder of the said city and to the said Recorder's Court.

61 Vict., ch. 52, art. 4.

748. The said court shall have original jurisdiction over, and shall hear and decide summarily:

Any action brought by the corporation of the said city, for the recovery of any sum or sums of money due to the said corporation, for any tax, assessment, impost or duty whatsoever, legally imposed by any By-law now in force in the said city, or that may hereafter be passed by the Council of the said city;

Any action for the recovery of any sum, tax, assessment, impost or duty now imposed, or to be hereafter imposed or levied in and upon the said markets;

Any action for the recovery of any sum of money or revenue whatsoever, which may be due and payable to the said corporation ,for any supply of water, given or furnished by the Quebec water works, in or to any house, buildings or dependencies, or given or furnished, to or for the use of any person or persons in the said city;

Any action for the recovery of the costs introducing any pipe or pipes from the said water works, into ing, altering or removing any such pipe, in any such cases by the superior or circuit court of Lower Canada. any house, building or dependency in the said city, and at the instance of, or for use and benefit of any person or persons in the said city;

Any action for enlarging, maintaining and repair- house, building or dependency;

Any action for the recovery of any sum or sums of money paid by the owner or proprietor of any immoveable property within the said city for water rate for any other tax, assessment, impost or duty whatsoever for and on account of his lessee, or agreed to be paid or satisfied by the said lessee according to the terms of his lease or otherwise.

24 Vict., ch. 26, art. 3.

Any action for the recovery of the wages of servants, apprentices, domestics or persons engaged by the

day, or for damages arising therefrom, when the amount does not exceed twenty-five dollars.

59 Vict., ch. 58, art. 1.

1 George V., (2nd session), ch. 59, art. 19.

749. If the City of Quebec should pass By-laws under article 5885 of the Revised Statutes, 1909, the proceedings for infringements of such By-laws may be taken before the Recorder's Court of the city.

2 George V., ch. 55, art. 19.

750. The said Recorder's Court shall also have summary jurisdiction in cases of lease, use and occupation of stalls, markets, cattle stands or other immoveable property of the said corporation for the recovery of the rent or of the sum due to the said corporation for the use and occupation thereof, and in every other case where in law the lessor or proprietor has a right to demand the resiliation of the lease or the ejectment of the tenant or occupant, in conformity with the provisions of article 1624 of the civil code of Lower Canada.

2. And the said court and the said recorder shall have and exercise for this purpose, all the powers and jurisdiction granted in this respect by law to the superior or circuit courts or to the judges thereof.

34 Vict., ch. 11, art. 3.

751. The said Recorder's Court and the said Recorder, with respect to all civil actions, matters and proceedings within the jurisdiction of the said court, shall as regards actions **en garantie**, incidental demands or demands in intervention, or any exception, defence or incident whatsoever during the suit, and as regards opposition under any form whatsoever to the execution of a judgment of the said court, and other matters and things relating to the said judgment, have all and every the powers and authority which would be enjoyed in such

cases by the superior or circuit court of Lower Canada, and the judges of the said courts, if such actions, matters or proceedings had been instituted or brought before the said superior or circuit court instead of before the said recorder's court.

29-30 Vict. ch. 57, art. 58.

752. The said Recorder's Court shall have power to make a tariff of the costs and fees to be demanded and levied by the clerk, the bailiffs and other officers of the said court, and may repeal, alter and amend such tariff; but the said tariff and the amendments thereto shall not be binding until the same shall have been approved by the Governor-in-Council.

29-30 Vict., ch. 57, art. 59.

753. The said Recorder's Court shall have the power to grant fees to the advocates or counsel practising before it in every civil suit, in all cases where complaint has been made or proceeding taken by a private individual either in his own name or in the name of the said corporation. The said court may also make a tariff of the said fees, subject nevertheless to the approval of the Lieutenant-Governor-in-Council.

34 Vict., ch. 11, art. 5.

754. In every prosecution for fine or penalty instituted as mentioned in the preceding section, (art. 752) the said court may in its discretion, if such prosecution be dismissed, condemn such private prosecutor to pay all the costs incurred in such prosecution, and in default of payment, order that he be imprisoned for a term not exceeding one month, unless the said costs and costs of imprisonment be sooner paid, or direct the levying of such costs by a writ of seizure and execution against goods and chattels of the said prosecutor as in civil matters.

29-30 Vict., ch. 57, art. 60; 34 Vict., ch. 11, art. 6.

755. The Recorder's Court may use its discretion in awarding or withholding costs, or ordering each party to pay his own costs.

33 Vict., ch. 46, art. 24.

756. Every fine and penalty imposed by the said act, or by the present act, for the punishment of any offence committed against the provisions of the said act, or of this act, or of any By-law in force, or which shall be in force in the said city, shall (unless it be otherwise expressly provided by the sai dact, or this act), be sued for before the said Recorder's Court, and heard and decided in a summary manner, in conformity with the law regulating the said court, and enforced by the payment of the fine and costs, or in default of payment, by the imprisonment of the defendant for a period not exceeding two months, in the discretion of the said court, unless the fine and costs, together with the costs of imprisonment, be sooner paid, notwithstanding anything to the contrary in the said By-laws.

29-30 Vict., ch. 57, art. 45, 1st parag.

757. The said Recorder's Court shall have exclusive jurisdiction and shall hear and decide summarily and in accordance with the law regulating the said court in the matter of any offence committed aganist the provisions of the act twenty-ninth Victoria, chapter fifty-seven, or against the provisions of this act or the By-laws now in force or which shall hereafter be in force in the said city.

29-30 Vict., ch. 57, art. 50, parag. 1st.

758. The said court may take cognizance of and determine all offences mentioned in articles 2782 to 2794, (now art. 3578-3590 of R. S. P. Q., of 1909) inclusively,

of the revised statutes of this province in so far as such provisions are applicable to the city; and article 2782 **(now 3578)** of the revised statutes shall apply to the Recorder, **mutatis mutandis.**

61 Vict., ch. 52, art. 3.

N.B.—See note under article 578 heretofore.

759. In all cases of offences as aforesaid, and in all cases of offences committed against the By-laws of the said city now in force, or which hereafter shall be in force, the said Recorder's Court may summon the offender from any place within any of the districts of Quebec, Beauce, and Montmagny, to appear before the said court, or may issue a warrant against him to bring him before the said court.

29-30 Vict., ch. 57, art. 50, parag. 2, as modified by 33 Vict., ch. 46, art. 20.

PROCEEDINGS IN PENAL SUITS.

760. Every summons, order, writ or warrant of any nature whatsoever, issued out of or by the said court, shall run and be in the name and style of His Majesty, His Heirs or Successors; they shall be sealed with the seal of the said court and be signed by the clerk of the said court.

24 Vict., ch. 26, art. 7.

761. In all cases where a person is arested on view by a police constable, it is not necessary that the complaint be reduced to writing, but a verbal complaint under oath, made before the said court by the constable who has arrested such person, shall be deemed a sufficient complaint.

If such person demand that the complaint be reduced to writing, the clerk shall reduce it.

61 Vict., ch. 52, art. 5.

762. Whenever the Recorder's Court, on the trial of the holder of a carter's licence, or a driver of a vehicle for the owner of such licence, for a penal offence committed in the exercise of his calling of a carter, finds the conduct of the defendant as a carter is unworthy and contrary to good order, it may order the cancelling of such licence or the suspension thereof for an indefinite period, during which such licence cannot be used.

57 Vict., ch. 58, art. 23.

763. All actions instituted by the corporation in virtue of the present act or any other act relating to the said city, or of any By-law, rule, order or regulation, in force in the said city, shall, when the fine and penalty belongs to the corporation, be brought in the Recorder's Court of the City of Quebec and not elsewhere, in the name of **The City of Quebec.**

39 Vict., ch. 57, art. 28, par. 5; 51-52 Vict., ch. 78, art. 1

764. Nevertheless, with the permission of the Police and By-laws Committee, any ratepayer may use in his own name before the Recorder's Court.

765. The said Recorder, or the said Recorder's Court, on the complaint made under oath of any father, mother, tutor or guardian of any minor child of either sex, that such minor has without reasonable cause, abandoned or left the domicile of his or her father, mother, guardian or other person entrusted with the care or keeping of such minor, and that such child is concealed or living in any place whatsoever within the district of Quebec, may cause to issue from the said court a warrant for the arrest of the said minor, and directing that he or she be brought before the said court; and the said court, after hearing the parties or their attorneys, shall, if it deem it just, order the said minor to return to the

domicile of such father, mother, tutor, guardian or other person aforesaid; the said warrant may be addressed to the sheriff o fthe district or to a bailiff of the superior court or of the said Recorder's Court, or to a police constable.

3 Ed. VII., ch. 61, art. 12.

766. Any master or mistress, or any person being master or mistress of a house of prostitution, house of ill-fame, disorderly house, or house reputed to be so, who shall receive, lodge, keep, or conceal, or who shall detain by compulsion in any such house, a minor female child, or who shall incite or induce in any manner or by any means whatsoever, a female minor to abandon or leave the dwelling of her father, mother, tutor, guardian or other person having the care or charge of such minor, and to live, reside or stay in a house of prostitution, house of ill-fame, disorderly house or house reputed to be so; or

Any person who shall invite or induce in any manner or by any means whatsoever a female minor to commit any of the acts mentioned in the present section, may on complaint under oath before the said Recorder's Court, by the father, mother, tutor, guardian, or person having the care or keeping of such minor, or of any relative or friend of such minor, be arrested and brought before the said Recorder's Court, and on summary conviction of the offence before the said court, shall be condemned to pay a fine not exceeding two hundred dollars, or to imprisonment for a period not exceeding six months, or to both fine and imprisonment, in the discretion of the said court.

29-30 Vict., ch. 57, art. 62, par. 2 and 3.

The complaint, in the cases above mentioned, may also be made by any person taking an interest in such minor child or female minor.

8 Ed. VII., ch. 83, art. 6.

767. The said court may, by writ as aforesaid, summon any person accused of any offence against the provisions of any act or By-law, rule or order as aforesaid, or from whom any sum of money is claimed for any one or more of the causes aforesaid, and such writ of summons shall set out the grounds of the action or complaint, in a succinct and explicit manner, and shall be served upon the defendant by a bailiff or constable as hereinafter provided, by leaving a certified copy of such writ either with the defendant personally or at his domicile, speaking to some grown member of the family of the said defendant.

24 Vict., ch. 26, art. 8.

768. Whenever any person is accused of an offence against the provisions of the charter or of a By-law of the city, and the person so accused is not taken and arrested on view he may be summoned by a writ of summons to appear before the said Recorder',s Court to answer unto the complaint clearly and succinctly set forth in the said writ. Such writ of summons shall be served by any bailiff or peace officer, provided, however, that, in the case of an offence punishable by fine or imprisonment under the charter or By law, as aforesaid, proceedings may be taken against the offender, either by writ of summons, as aforesaid, or by a warrant of arrest issued by the recorder on an affidavit laid before him.

8 Ed. VII., ch. 83, art. 3.

PROCEEDS IN CIVIL SUITS.

769. The Recorder's Court of the City of Quebec may summon to appear before it any person residing within the limits of the Province of Quebec, who may be indebted to the corporation of the said city for assessments, taxes or municipal dues of whatsoever nature.

34 Vict., ch. 11, art. 1, 1st par.

770. In any civil action there shall be an interval of at least two clear days between the service of the writ of summons and the day of its return into court.

24 Vict., ch. 26, art. 9.

If the defendant reside outside the city, the delay is enlarged by one day for every fifty miles distance from the city.

2 Ed. VII., ch. 48, art. 8.

771. The delay of summons in the case of seizure by garnishment after judgment **(saisie arrêt après jugement)** shall be the same as that in ordinary civil actions issued by the Recorder's Court.

34 Vict., ch. 11, art. 2; 55-56 Vict., ch. 50, art. 9.

If the defendant resides within the limits of the district of Quebec, the service may be made by any bailiff of the said court or of the Superior Court.

34 Vict., ch. 11, art. 1, 3rd par.

772. When the defendant resides outside the limits of the district of Quebec, but within the limits of the said province, the service of the writ of summons shall be made by the sheriff or a bailiff of the Superior Court of the district in which the defendant is so resident.

34 Vict., ch. 11, art. 1, 4th par.

773. In every suit before the Recorder's Court of the city of Quebec for a sum of money due to the city, if a bailiff make a return to the court that the defendant has no known domicile in the city, and that, from information obtained by him, he has been unable to find where such defendant resides, and that he has in consequence been unable to serve the writ of summons on him, such defendant may be summoned by public notice published in the newspapers according to law.

63 Vict., ch. 48, art. 11.

774. If any person summoned to appear before the said court, as defendant, as witness, as garnishee, or otherwise, does not appear in person or by attorney, then proceedings by default are taken against such person.

61 Vict., ch. 52, art. 6.

775. In cases of prosecutions for offences, if the summons is efected by a constable or police officer, the service is proved in open court by the oath of such constable or police officer.

61 Vict., ch. 52, art. 7.

776. If the defendant appears, the court shall cause the plea put in by him to the action or complaint to be entered; it shall hear the witnesses produced by the parties, and shall decide in conformity to law and justice, awarding costs to the successful party.

24 Vict., ch. 26, art. 10, par. 2.

777. If the defendant confesses judgment either in person or by attorney, the court, if the confession of judgment is accepted by the plaintiff, shall cause judgment to be entered in conformity with such confession, in case of prosecution or complaint for any offence against the provisions of any act or By-law as aforesaid; if the defendant pleads guilty the court shall declare the defendant convicted.

24 Vict., ch. 26, art. 10, par. 3.

778. The said court may grant a delay of not less than one month nor more than three months, to any defendant who confesses judgment after the return of the action brought against him.

24 Vict., ch. 26, art. 10, par 4.

779. If in a complaint or summons made for an offence within the jurisdiction of the said Recorder's Court, the prosecutor negatives any exemption, exception, proviso or condition in the statute or By-law on which such complaint or summons is founded, it shall not be necessary for the prosecutor to prove such negative; but the defendant must prove that his case is covered by or falls within the scope of such exemption, exception, proviso or condition, in his defence, if he would take advantage of the same.

29-30 Vict., ch. 57, art. 57.

780. In all cases where in any summons or process in civil or penal matters there shall be variance between the allegation and the proof relative to the christian or surname, the addition, rescription, or residence of any party mentioned in such summons or process, or to any other fact alleged in such summons or process, the said court may at any stage of the case, before, during or after the **enquête**, or before judgment or conviction, or at the request of an interested party, direct the amending of such process or summons, if necessary, and allow the adverse party a sufficient delay to prepare a defence to the summons or process so amended, if the party require it for the ends of justice.

29-30 Vict., ch. 57, art. 61.

781. The said court shall have power to compel witnesses to appear in any action, prosecution or complaint, pending before the said court, and answer all legal questions put to them.

24 Vict., ch. 26, art. 11.

782. The court may permit and require interrogatories on **faits et articles** or the **serment decisoire** or **judiciaire** to be put to any party to a cause in all cases in which such interrogatories or oath are allowed by law

in the ordinary courts of civil jurisdiction in Lower Canada.

24 Vict., ch. 26, art. 12, par. 1.

783. The court shall have power to compel the execution of and to force obedience to any writ, order, warrant, or summons issued as aforesaid by the said court, and to that end it shall be invested with all the powers and authorities enjoyed in that respect by the ordinary courts of civil and criminal jurisdiction in Lower Canada.

24 Vict., ch. 26, art. 12, par. 2.

784. In any civil action the said court shall, as regards the admissibility of oral testimony and the competency and the number of witnesses, follow the rules prescribed in that respect by the law in relation to civil matters, unless it be otherwise provided by this act.

24 Vict., ch. 26, art. 13.

785. In any civil action or proceeding, or in any procsecution or complaint for any offence committed against any By-law of the said city, or against the provisions of the acts hereinbefore cited, any councillor of the said city, (excepting the mayor or councillors sitting in the said court), and any employee, officer or servant of the said corporation shall be a competent witness, provided he has no direct interest in the result of such action, prosecution or complaint, or is not incompetent from any other cause.

24 Vict., ch. 26, art. 14, par. 1.

786. Any assessment, tax, duty or sum of money due to the said corporation as aforesaid, and any penalty or fine which may be claimed or sued for in the said court, shall be recoverabe on the oath of one competent witness, and any person accused in the said court, of any

offence within the cognizance of the said court, may also be condemned on the oath of one credible witness.

24 Vict., ch. 26, art. 14, par. 2.

787. Any person examined before the said court as a witness or as a party, who shall wilfully and knowingly give false testimony, or make a declaration knowing it to be false, in any cause pending in the said court, or in any proceeding whatsoever had in the said court, shall be guilty of perjury, and shall be liable to the pains and penalties of wilful and corrupt perjury.

24 Vict., ch. 26, art. 14, par. 3.

788. The despositions of the parties or of the witnesses, both in civil cases and in cases of complaint or prosecution for offences as aforesaid, shall not be reduced to writing, but the said court shall take such notes of the said depositions as it shall consider requisite and necessary.

24 Vict., ch. 26, art. 15.

789. When the owner of an immoveable property situate within the City of Quebec, and liable by privilege to the city for taxes or assessments, is unknown or uncertain, the city may apply, by simple petition, to the Recorder's Court of the city, for sale of such immoveable; and, for that purpose, articles 1026 to 1036, inclusively, of the code of civil procedure apply, **mutatis mutandis**, to the said court, which has all the powers conferred on the superior court by the said articles.

61 Vict., ch. 52, art. 10.

CERTIORARI.

790. Every petition to obtain a writ of **certiorari** to revise judgment of the Recorder's Court of the City of Quebec, shall, in future, be presented to the superior court during the next term of the said court or to one

of the judges thereof, within eight days after the date of the said judgment, and if the said writ of certiorari is allowed, it shall be made returnable within the eight days following that upon which it was so allowed, in default of which the said judgment of the said ecorder's Court may be carried into execution.

45 Vict., ch. 27, art. 1.

791. The notice, given to the recorder and to the opposite party, of such application for certiorari, shall, in such case, be accompanied by a certificate from the prothonotary of the said Superior Court, establishing that the petitioner has deposited in the hands of the said prothonotary a sum of twenty-five dollars, as security for the costs of the opposite party, in the event of the petition being refused or the writ of certiorari set aside with costs.

45 Vict., ch. 27, art. 2.

OTHER GENERAL PROVISIONS.

792. All fines and penalties sued for, imposed, levied or recovered in the said Recorder's Court, under and by virtue of any statute, now or hereafter to be in force, shall belong to and form part of the general fund of the said city; any law to the contrary notwithstanding.

29 Vict., ch. 57, art. 38, par. 6.

793. To the Council alone shall appertain the right of remitting the whole or part of any fine belonging to the said city, as well as of the costs of the suit occasioned by the prosecution for the said fine.

29 Vict., ch. 57, art. 38, par. 7.

794. This remission shall be made, in each case, by a simple resolution adopted by the majority of the Council on a petition presented to the said Council, for that

purpose, by the persons asking for such remission, and not otherwise.

29 Vict., ch. 57, art. 38, par. 8.

795. And no such fine, after conviction or judgment, shall be remitted in whole or in part by the said Council, except with the approval of the recorder of the said city, given to any application made to the Council by a defendant for the remission of the fine and costs to which he may have been condemned by the said Recorder's Court.

29-30 Vict., ch. 57, art. 45, 2nd par.

796. The mayor or any member of the said Council who shall infringe the provisions of the two next preceding subsections, or any officer of the said Council, who shall receive any sum due to the said Council, without the costs which shall have been incurred at the time ot the payment of the said sum, shall incur a fine not exceeding twenty dollars for each offence, which shall be sued for and recovered before the said Recorder's Court, as hereinabove set forth.

29 Vict., ch. 57, art. 38, par. 9.

797. Any remission of any fine, or of any sums or costs, in violation of the provisions of this section, shall be considered as null and no effect, to all intents and purposes whatsoever.

29 Vict., ch. 57, art. 38, par. 10.

N.B.—How does art. 32 of the R. S. P. Q. affect the six preceding articles?

798. But in all cases in which a fine has been incurred by a corporation, association or society recognized by law, such fine and costs shall be levied by the seizure and sale of the goods and effects of the said corporation, association, association or society, in virtue

of a writ of execution issued from the said court; and proceedings shall be had upon the said writ in the manner prescribed for seizure and execution in civil matters.

29 Vict., ch. 57, art. 38, par. 2.

799. Any one or more joint owners or occupiers of any lot, house or premises, or other real property in the said city, complained of for violation of any By-law of the said Council, now or hereafter to be in force, bearing upon the said joint owners or occupiers, or upon the said lot ,house or premises, or other real property in any manner whatsoever, by reason of nuisances committed thereon, or other offences of what nature soever against the provisions of any By-law of the said Council, may be sued alone or conjointly in the said Recorder's Court, as may be deemed advisable, as also the agent or agents of the said joint owners or occupiers, or any one of them; and in the suit to be instituted, it shall be sufficient to mention in the name of one of the owners, occupiers or agents, with the addition of the words "and others," and the oral testimony of such ownership or occupancy, whether sole or joint, or of which agency shall be deemed sufficient; any law, usage or custom, to the contrary notwithstanding.

And the said corporation, or any municipal elector may institute any proceedings for that purpose in the name of the City of Quebec.

29 Vict., ch. 57, art. 38, par. 3; 51-52 Vict., ch. 78, art. 1.

800. In any suit, action or prosecution brought by the said corporation, it shall not be necessary to specify or recite the act or By-law under which such suit, action or prosecution shall be brought.

24 Vict., ch. 26, art. 27, par. 1.

801. It shall not be necessary to allege or to prove

that the formalities required for the passing of a By-law have been observed, nor that any By-law has been transmitted to the Lieutenant-Governor, but the observance of the said formalities, and the said transmission shall be presumed until proof to the contrary be shown.

27 Vict., ch. 21, art. 6; 29 Vict., ch. 57, art. 38, par. 14.

802. The By-laws, rules, regulations or orders now in force in the said city, and those which shall hereafter be made by the Council of the said city, shall be held and taken to be public laws within the limits of the said city; and as such shall be judicially taken notice of by all judges, justices and other persons whomsoever, without being specially pleaded.

24 Vict., ch. 26, art. 27, par. 2.

EXECUTIONS.

803. The execution of any judgment rendered in any civil action as above mentioned, shall be levied by the seizure and sale of the goods, moveables and effects of the defendant.

24 Vict., ch. 26, art. 22, par. 1.

804. No writ of execution shall be issued until the expiration of eight days after the day on which judgment shall have been rendered.

29-30 Vict., ch. 57, art. 51, par. 2.

805. The right of issuing writs of **saisie exécution, saisie arrêt** and other writs of execution in the Recorder's court, on judgments obtained in the said court, shall be extended to the notices issued by the city treasurer under the thirtieth section of the act thirty-third Victoria, chapter forty-six, the said notices, in default of payment as mentioned in the said section, having the

same legal effect as a judgment of the said Recorder's Court.

36 Vict, ch. 55, art. 8.

806. Writs of execution issued by the Recorder's Court of the said city are made returnable without any fixed delay, and remain in force so long as the same remain unsatisfied.

2 Ed. VII., ch. 48, art. 9.

807. The said writ shall be returnable into the said court on the day fixed by such writ, or on any other day on which the said court shall direct the sheriff or bailiff having such writ to make such return; and any refusal or neglect to make such return as prescribed by this section, shall be punished as a contempt of court in the manner prescribed by section sixteen of the act twenty-fourth Victoria, chapter twenty-six, (art. 746 heretofore).

29-30 Vict., ch. 57, art. 51, par. 3.

808. Every writ of execution issued by the Recorder's Court against the goods and chattles of a defendant may be executed in any district of this province, and shall be addressed to the sheriff or to a bailiff of the district in which the defendant or his property may be.

58 Vict., ch. 49, art. 27.

809. The bailiff, the bearer of the writ of execution, shall proceed to the seizure and sale in the manner prescribed and practised in cases of seizure and sale under execution issued by any ordinary court of civil jurisdiction in Lower Canada.

24 Vict., ch. 26, art. 22, par. 2.

810. The recovery of all fines adjudged in the said Recorder's Court shall be proceeded with in pursuance

of the By-law, rule, regulation or order imposing such fine, by writ of **saisie exécution**, against the goods and chattels of the defendant, or by the imprisonment of the defendant, as the case may be, and such writ and warrant shall be issued in the manner above stated.

24 Vict., ch. 26, art. 26.

811. In case a defendant debtor to the corporation for assessments, taxes or other municipal dues does not possess in the city of Quebec any moveables, or if he does not possess sufficient moveable property for the payment of the debt and the costs, or of any portion of the debt and costs which may be due, then if such defendant possesses any real estate, lands and tenements in the district of Quebec or in any other district in the Province of Quebec, a writ de terris for the seizure and sale of such real estate, lands and tenements, shall be issued from the Recorder's Court according to law, at the distance of the city treasurer, upon the return of the bailiff charged with the execution of the writ, setting forth the absence or insufficiency of moveable property.

7 George V., ch. 59, art. 7.

812. The writ shall be addressed to the sheriff of the district in which the real estate is, and returnable into the Superior Court of the District of Quebec.

29-30 Vict., ch. 57, art. 11, par. 8.

813. The sheriff shall proceed upon the writ in all respects as provided by law in all cases of sales of real estate by authority of justice, and shall make a return of the said writ and his proceedings upon it to the said Superior Court.

29-30 Vict., ch. 57, art. 11, par. 9.

814. Any opposition, incidental claim or proceeding connected with the execution of the writ and the

distribution of the moneys produced by the sale of the real property, lands and tenements shall be made, filed and determined by the said Superior Court as if the said writ had issued from it.

29-30 Vict., ch. 57, art. 11, par. 10.

815. The said Recorder's Court may issue writs of saisie-arret after judgment, in the same manner as the ordinary courts of civil jurisdiction, and shall follow in relation thereto the rules and procedure prescribed in such courts in relation to the issuing, return, and judgment, in matters of saisie-arret.

24 Vict., ch. 26, art. 25.

816. Any warrant of commitment after judgment, issued by the Recorder's Court, may be executed in any judicial district of the province by the sheriff or by any bailiff of the district in which the person to be arrested happens to be.

61 Vict., ch. 52, art. 9.

817. In all cases, where a defendant shall have been condemned to imprisonment, or to imprisonment in default of payment of the fine imposed and of the costs, under different convictions, each additional period of imprisonment shall commence only at the expiration of a preceding period of imprisonment.

29-30 Vict., ch. 57, art. 64.

818. The police of the said city, or any other peace officer or constable, may bring before the said court, or before the said recorder, or his deputy in the absence of the recorder, and if he has no deputy, before the mayor or the councillor discharging the duties of mayor of the said city, in the absence of the recorder or his deputy as aforesaid ,any person offending as aforesaid against any of the provisions or of the By-laws aforesaid, and any

vagrant, loose, idle or disorderly person, and any person arrested as aforesaid, to be then and there dealt with according to law, as the said Recorder's Court, the said recorder, or his deputy, respectively, or the mayor or councillor aforesaid, may adjudge and determine.

24 Vict., ch. 26, art. 30, par. 2.

819. The said Recorder's Court, on due proof of the offence, according to the law which regulates the said court, shall condemn any of the persons mentioned in the three next preceding subsections, to pay a fine not exceeding forty dollars, and, in default of immediate payment, to an imprisonment, with or without hard labor, for a space of time not exceeding four months, unless the said fine and all costs shall be sooner paid.

2 9Vict., ch. 57, art. 31, par. 13.

820. Whenever in the present or any other act relative to the said city, or in any By-law, rule or order, as aforesaid, imprisonment is imposed, such imprisonment shall be understood to be in the common gaol of the district of Quebec.

29 Vict., ch. 57, art. 38, par. 11.

APPEAL FROM THE DECISIONS OF THE RECORDERS AND RECORDERS' COURTS IN MATTER OF TAXES.

821. In all cases or proceedings in which the amount in dispute relates to one or more municipal or school taxes or assessments or fines or penalties, imposed by any municipal By-law, exceeding in all the sum of five hundred dollars, or to the interpretation of a contract to which the municipality is a party, the subject matter whereof is of the value of at least five hundred dollars, there shall be an appeal from the final decision of any Recorder or Recorder's Court to the Court of Review or the Court of King's Bench.

If the amount in dispute does not appear upon the

face of the proceedings, it may be established by affidavit.

R. S. P. Q., art. 7573.

822. The appeal is instituted by an inscription made before the Recorder's Court, within eight days from the rendering of the judgment or decision, and served upon the clerk of the said court within the said delay; which service shall stay the execution of the judgment.

R. S. P. Q., art. 7574.

823. As soon as the inscription is filled, the record, a copy of the judgment, and the inscription, shall be sent to the Court of Kink's Bench or to the Court of Review, as the case may be, in accordance with articles 47 and 53 of the code of civil procedure, and the case shall thereafter be continued in the same way as an ordinary case in appeal or review.

R. S. P. Q., art. 7575.

824. The parties to any suit or proceeding may, for the purpose of the appeal, have the evidence taken down at length, or cause the same to be taken, either by stenography or otherwise, under the direction of the court, and such evidence shall form part of the record.

R. S. P. Q., art. 7576.

825. If the proceeding before the Recorder or Recorder's Court has been commenced by a summary complaint for overcharge of assessment, the complaint, so soon as a declaration is made that the complaint is not acquiesced in, may produce a detailed complaint, and if the proceeding has been commenced by writ, the defendant may plead specially in writing.

R. S. P. Q., art. 7577.

826. The appeal provided for by the present law may be taken notwithstanding the provisions of any special statute.

R. S. P. Q., art. 7578.

827. Articles 7576 and 7577 shall apply to the appeals provided for by sections 30, 37a, 41, 88, 89 and 90 of chapter 139 of the revised statutes of Canada, 1906.

R. S. P. Q., art. 7579.

828. Whenever by the judgment in any suit, case or proceeding, before a Recorder or a Recorder's Court, future rights may be affected, the defendant may evoke the suit, case or proceeding and require it to be removed to the superior court in the same district, for hearing and judgment, and in such case articles 49 and 1130 of the code of civil procedure shall apply.

R. S. P. Q., art. 7580.

829. An appeal shall lie to the Supreme Court from the judgment of any court of last created under provincial legislation to adjudicate concerning the assessment of property for provincial or municipal purposes, in cases where the person or persons presiding over such court is or are by provincial or municipal authority authorized to adjudicate, and the judgment appealed from involves the assessment of property at a value of not less than ten thousand dollars

R. S. C., ch. 139, art. 41.

SCHEDULE A

In Connection with Article 21.

OATH TO BE TAKEN BY THE MAYOR AND ALDERMEN

I. A. B., having been elected mayor or alderman (as the case may be) of the City of Quebec, swear that I will fulfill the duties of the said office faithfully and to the best of my judgment and capacity; that I own, in the said city, for my own use, immoveable property of the value of at least five thousand dollars (for the office of mayor), and two thousand dollars (for the office of the alderman for the seat No. 1), and one thousand dollars (for the office of alderman for seat No. 2), over and above any rents, hypothecs or charges on such immoveable, and that I have not obtained the said property by fraud or collusion; that I will be faithful and bear true allegiance to the lawful sovereign of the United Kingdom of Great Britain and Ireland, and that I will defend him to the best of my power from all conspiracies or attempts that may be made against his Person, Crown and Dignity. So help me God."

Schedule No. of 1 Geo. V., (2nd session), ch. 59.

SCHEDULE B

IN CONNECTION WITH ARTICLE 78.

Being Schedule L Mentioned in Article 19 of the Law 7 Ed. VII., Ch. 62.

POLL BOOK.

Numbers of Voters	Names of Voters	Profession	Residence	Proprjetors, Tenants or Occupants.	Objections.	Sworn	Refused to be Sworn	Votes Given	Electors voting after others have voted in their name	officer. returning assistance of prepared with Ballot papers

SCHEDULE C

In connection with Article 84.

(It is the schedule B of the act 29 Vict., ch. 57, mentioned in the act 33 Vict., ch. 46, art. 10, parag. 14).

OATH TO BE TAKEN BY POLL-CLERKS.

I, A. B., swear that I will faithfully, punctually and impartially to the best of my ability, fulfil the duties of poll-clerk at the election of an alderman (or councillor), (as the case may be) for the ward of this city, whic helection shall be held on the
So help me God.

SCHEDULE D

In connection with Article 87.

BALLOT PAPER FOR THE ELECTION OF THE MAYOR

Being Schedule D of the Law 7 Ed. VII., Ch. 62.

	1	ADAM (Pierre, merchant)	
	2	BEAUDOIN (Alexander, Shoemaker)	X
	3	MONGEON (Jacques, Notary)	

.....

ANNEX

SCHEDULE E

In connection with Article 87.

BALLOT PAPER FOR ELECTION OF ALDERMAN FOR SEAT NO. 1

Being Schedule M of the Law 7 Ed. VII., Ch. 62.

Election for Ward			
	1	ADAM (Pierre, merchant)	
	2	BEAUDOIN (Alexander, Shoemaker)	X
	3	MONGEON (Jacques, Notary)	

.....

ANNEX

SCHEDULE F

In connection with Article 80.

BALLOT PAPER FOR ELECTION OF ALDERMAN FOR SEAT NO. 2

Being Schedule N of the Law 7 Ed. VII., Ch. 62.

Election for Ward	1	AUGER (Jean, Merchant)	
	2	GARIEPY (Pierre, Carpenter)	X
	3	LANGLOIS (Arthur, Notary)	

.....

ANNEX

SCHEDULE G

In connection with Article 91.

Schedule S of the Electoral Law of Quebec

OATH OF AGENT OF CANDIDATE

I, the undersigned, G. H., agent for (or elector representing **as the case may be**) J. K., one of the candidates at the election now pending of an alderman for ward of the City of Quebec, solemnly swear that I will keep secret the name of the candidate for whom any of the voters, at the poll in which I will represent the said J. K., may have marked his ballot-paper in my presence at this election. So help me God.

Sworn before me at Quebec,
this day of
one thousand nine hundred and

A. B.
President at the Poll.
or C. P.
Justice of the Peace.

SCHEDULE H.

In connection with article 96.

VOTERS' OATH

I swear that my name is **(here insert or give the name)** and that I am the person named in the copy of the voters' list for the election of mayor or alderman, for **(here name the ward)** ward of the City of Quebec, for the municipal elections, which is now shown to me;

that I am duly qualified; that I have not received either directly or indirectly, any money, note, or promise, or reward for my vote; that I am not an officer or a servant of the corporation, or receiving any income or wages from the corporation, as such; and that I have not now any contract with the corporation or any interest in such contract such as to disqualify me for voting; that the taxes, assessments, or rates due by me have not been paid in whole or in part by any person to induce me to vote for any candidate at this election; and that I am twenty-one years of age and a British subject. So help me God.

Schedule S of 7 Ed. VII., ch. 62.

SCHEDULE I

In connection with Article 180.

Being Schedule E of 29 Vict., ch. 57.

QUALIFICATION OATH BY AUDITORS

I, A. B., having been named auditor for the City of Quebec, sincerely and solemnly swear that I will faithfully discharge the duties of that office, to the best of my skill and ability. So help me, God.

SCHEDULE J

In connection with Article 196.

OATH TAKEN BY ASSESSORS

I, A. B., having been apointed assessor for the city of Quebec, swear that I will fulfil the duties of the said

office faithfully and to the best of my judgment and capacity; that I own, in the said city, for my own use, property of the value of at least one thousand dollars over and above my just debts, and that I have not obtained the said property by fraud or collusion; that I shall be faithful and bear true allegiance to the lawful sovereign of the United Kingdom of Great Britain and Ireland and that I shall defend him to the best of my power from all conspiracies or attempts that may be made against his person, crown and dignity, the whole without any equivocation or mental reservation whatsoever. So help me, God.

SCHEDULE K

In connection with Article 253.

Being From G of the Act 33 Vict., Ch. 46.

Public notice is hereby given that the assessment roll of the City of Quebec, for the ward of the said city, (or the supplementary roll for the ward of the city) is completed, and is now deposited in the office of the undersigned.

All persons whose names appear therein as liable for the payment of any assessment, tax or duty, are hereby required to pay the amount thereof to the undersigned at his said office, within ten days from this day, without further notice.

City Treasurer.

Quebec, (date).

SCHEDULE I.

IN CONNECTION WITH ARTICLE 258.

Being Schedule H of the Act 33 Vict., Ch. 46, Sec. 30, Replacing 29 Vict., Ch. 57, Sec. 24, Parag. 1.

Corporation of Quebec

Mr.

.Copy of Account

Notice served $

(Date of notice).

Costs,

Notice,

Corporation of Quebec

Mr.

To the Corporation of the City of Quebec

To assessments, &c., or water rates, &c.

(Here state account)

Sir,

Take notice that having failed to pay the above mentioned sum within the time prescribed by public notice, you are hereby required within fifteen days from the date hereof, to pay the same to me at my office, together with the costs of this notice and service thereof, as below, in default whereof, execution will issue against your goods and chattels.

Quebec, (date)

Costs. (Signature)

Notice,

City Treasurer.

SCHEDULE M.

In connection with Article 253.

Being Schedule J of the Act. 33 Vict., Ch. 46.

Province of Canada,
City and District of Quebec. **In the Recorder's Court of the City of Quebec.**

The Recorder of the City of Quebec.

Debt $

To any bailiff of the Recorder's Court of the City of Quebec, in the said city and District of Quebec.

Costs
Warrant

$

Whereas A. B., **(name and designation of debtor)**, hath been required by the Treasurer of the said City of Quebec, to pay into his hands for and on behalf of the said city, the sum of being the amount due by him to the said city, as appears by the collection-roll of the said city for the year 19 ; and whereas the said A. B. hath neglected and refused to pay unto the said Treasurer, within the period prescribed by law, the said sum of ; these are therefore to command you forthwith to make distress of the goods and chattels of the said A. B.; and if within the space of eight days after the making of such distress, the said mentioned sum, together with the reasonable charges of taking and keeping the said distress shall not be paid, that then you

do on such day as shall be indicated to you by the said Treasurer, sell the said goods and chattels so by you detained, and to pay the money arising from such sale unto the Treasurer of the said city, that he may apply the same as by law directed, and may render the overplus, if any, on demand, to the said A. B., or others whom it may concern, and if no such distress can be found, then that you certify the same into me, to the end that such proceedings may be had therein, as to law doth appertain.

Given under the hand of the clerk of the said Recorder's Court, at Quebec aforesaid, this day of in the year of Our Lord

T. X.,
Clerk, of the
Recorder's Court.

SCHEDULE N

IN CONNEXION WITH ARTICLE 554.

POLL BOOK.

Numbers of Voters	Names of Voters	Occupation	Residence	Objected to	Sworn	Refusing to Swear	Given Votes	Electors voting after others have voted in their name.	Ballot papers prepared with the assistance of the officer in charge of the poll

SCHEDULE O.

In connection with Article 556.

BALLOT-PAPER FOR APPROVAL OF A BY-LAW

FOR	X
AGAINST	

ANNEX

SCHEDULE P.

In connection with Article 571.

Being Schedule F of the Act 29 Vict., Ch. 57.

I

OATH OF ALLEGIANCE TAKEN BY POLICE CONSTABLES

I, A. B., sincerely swear and promise that I will be faithful and bear true allegiance to His Majesty King George V (or to the sovereign then reigning), lawful sovereign of the United Kingdom of Great Britain and Ireland, and of this province, as depending of the United Kingdom and thereto belonging; that I shall defend him to the best of my power, against all conspiracies and treasons or designs whatever that may be made against His person, His Crown and dignity, and that I shall use my utmost endeavors to disclose and make known to His Majesty, His Heirs and Successors, all conspiracies,

treason or traitorous designs that I shall know to exist Him or any of them; all this I swear without equivocation, restriction or mental reservation, and renouncing all pardons and dispensations from any person or persons whatsoever to the contrary. Ho help me, God.

II

OATH OF OFFICE BY EACH MEMBER OF THE POLICE FORCE

I, A. B., of the City of Quebec, having been appointed a member of the police force of the said city, sincerely and solemnly swear that I will faithfully discharge my duties as a member of the police force, to the best of my skill and ability. So help me, God.

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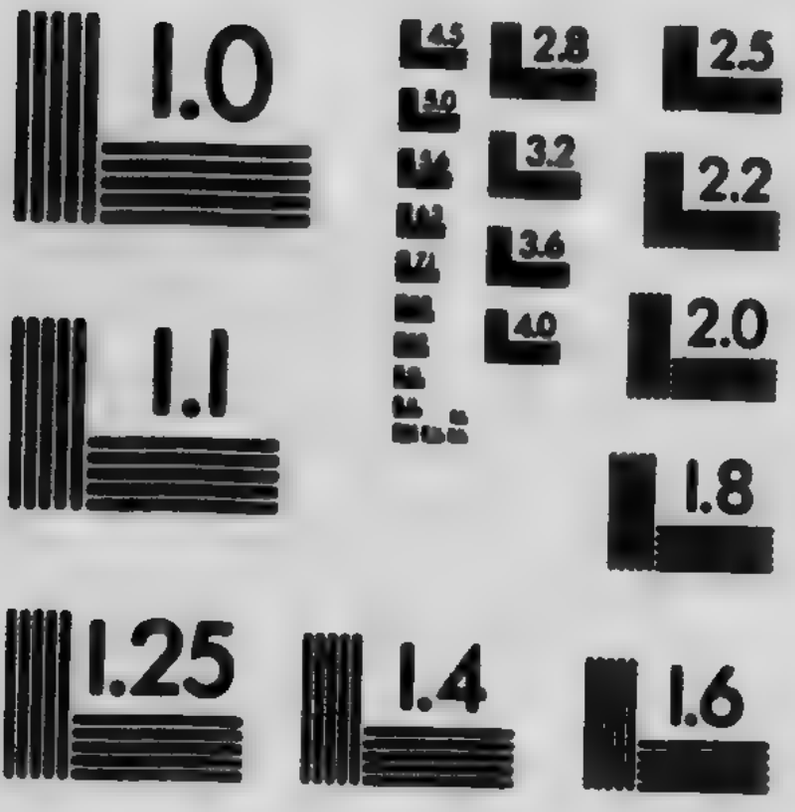

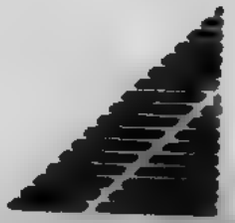

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